



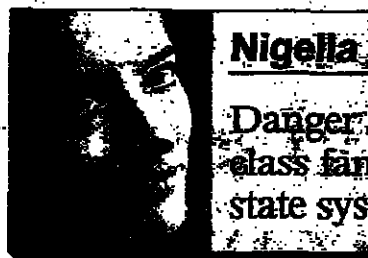
### Bank Holiday Sport

Seven pages of premier ship action, reports, results and comment, Section 2



### Who did what

Royal engagements are analysed Letters, page 13



### Nigella Lawson

Danger of taking middle class families out of the state system, page 11



20P

# THE TIMES

No. 65,154

TUESDAY JANUARY 3 1995

2W

## Army's humiliation threatens Yeltsin



Yeltsin: Public opinion against Grozny attack

FROM RICHARD BEESTON IN MOSCOW

CHECHEN separatist fighters yesterday claimed they had repulsed a three-day offensive against the capital Grozny after Russian forces became bogged down in heavy street fighting.

The consequences will be felt almost immediately in Moscow, where President Yeltsin is facing

unprecedented opposition from the public, the political establishment and large sectors of the military.

"The Russian armed force that stormed the city of Grozny two days ago is practically defeated," said Colonel Aslan Maskhadov, the jubilant Chechen commander-in-chief.

One reporter in the Chechen capital counted 17 burnt-out tanks and armoured personnel carriers near the railway station, the scene of some of the heaviest fighting.

around much of the city, which continued to come under heavy artillery and air bombardment.

The Chechens were last night attempting to encircle and wipe out the last 50 Russian armoured vehicles in Grozny, located in three areas to the east and west of the city centre.

The first tacit acknowledgement that the Russians were being beaten back came in an official statement by the Defence and Interior Minis-

tries which announced that Russian troops were regrouping their forces and equipment in central Grozny and the suburbs.

A Russian Government statement admitting the loss of "several dozen" armoured vehicles was the first official confirmation of the setback.

The language used by Russia last night was in marked contrast to the more upbeat remarks on Sunday by General Pavel Grachev, the Russian Defence Minister, who is now personally overseeing the operation and who had predicted that Russian forces would be in full control of Grozny by the end of last week.

A humiliating defeat at the hands of the Chechens could spell the end of President Yeltsin's political

career. The military operation has been widely criticised by his former political allies in Moscow and several highly respected army generals.

Latest opinion polls, taken before reports of the defeat and heavy loss of life, revealed that 63 per cent of Russians are against the Chechen operation and 65 per cent do not trust the Russian leader.

A taste of the domestic fallout came when a group of Russian parliamentarians opposed to the war, who have just returned from Grozny, said yesterday that the authorities were concealing the number of casualties.

"Thousands of innocent people have died, tens of thousands made homeless. Hundreds of servicemen

have died," said a statement released by the deputies on their return to Moscow. "The Government is concealing the truth about losses. We are talking about mass murder tantamount to genocide."

Viktor Sheinis, a deputy in the Duma, the Russian lower house, said the Russian attack on New Year's Eve had been launched by 250 armoured vehicles. "Most of the vehicles have been destroyed by Chechen fighters," he said. "Russian troops have suffered losses in the hundreds."

Yeltsin's cronies, page 9  
Photograph, page 16

## Drivers struggle in 120 miles of traffic jam misery

BY KEVIN EASON AND MARIANNE CURPHEY

HUGE traffic jams brought misery to the end of the Christmas holiday last night as motorists struggled home through snow and ice.

The RAC reported jams along 120 miles of road, the worst tailback being on 40 miles of the M6 through Cumbria and Lancashire. The roads were overloaded by holidaymakers who had delayed their journeys to avoid the weekend's high winds and blizzards and by drivers heading for the January sales.

Motoring organisations say there will be little relief today, with millions of workers heading for their offices and factories in sub-zero temperatures. The AA and RAC are braced for their busiest day this winter, expecting up to 50,000 breakdown calls. They are warning drivers to beware of black ice.

On the east coast, householders were preparing for more flooding after two days of being battered by gales and threatened by high tides. Councils were issuing sandbags for houses near sea-fronts and harbours.

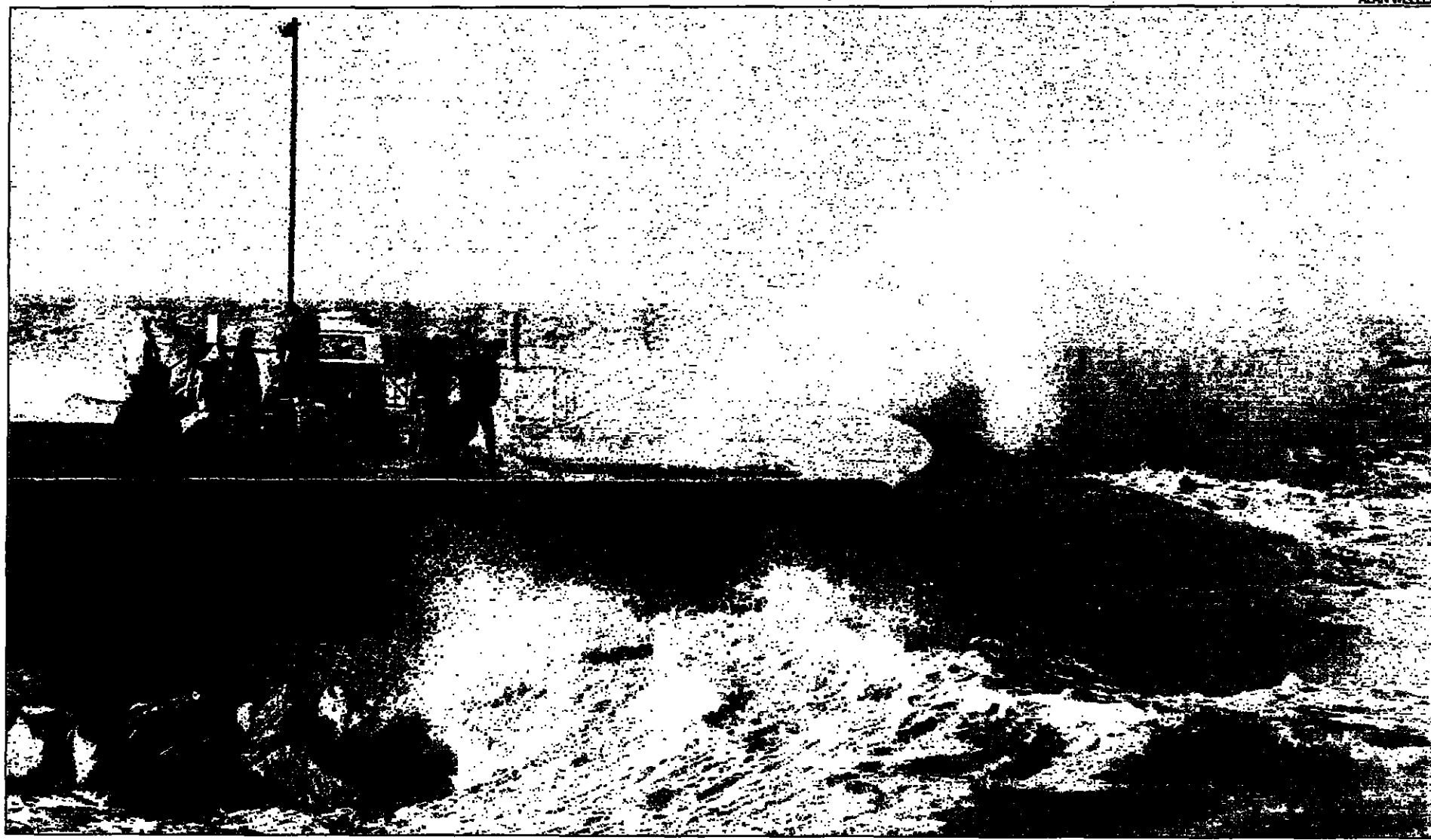
Motorists who waited yes-

terday until the worst of the weather was over drove straight into the tailbacks. The longest was from junction 37 at Kendal in the Lake District through to junction 32, where the M6 meets the M55 to Blackpool. Traffic was also held up for 31 miles along the M6 through Cheshire.

Large swaths of the country were hit by blizzards and floods from the Grampians down to Suffolk, Essex and Kent. Two-foot-high drifts were reported in Bridlington and up to four inches of snow covered the higher parts of the North Yorkshire Moors with all three main routes into Whitby blocked.

The fresh snowfalls came as the RAC was still helping to recover hundreds of cars abandoned at the height of Sunday's blizzards, particularly in the South East. A spokesman said that roads such as the M2 in Kent and the area of the M25 around the Dartford crossing were littered yesterday with cars that had been abandoned by

Continued on page 3, col 1  
Forecast, page 16



Gales and huge waves battering Herne Bay in Kent. Thousands of householders along the east coast were bracing themselves for more floods and high tides last night

## Rosemary West will face court, say prosecutors

BY BILL FROST

THE Crown Prosecution Service insisted yesterday that it would proceed with the prosecution of Rosemary West, the wife of builder Frederick West, despite claims by her solicitor that his prison suicide left the case against her weak.

Les Goatley, who represents the mother of eight facing nine murder charges, said: "I have always felt the case against her was flimsy, and it is flimsier now. Because they were jointly charged, everything that Fred has said would have come out in court and would have challenged Rose."

"During his police interviews, his story started to waver this way and that, and he blamed one person and then another," Mr Goatley also alleged that, in one inter-

view, West claimed to detectives that his wife had nothing to do with the murders of nine women who were found buried at the couple's Gloucester home.

West is understood to have given police several taped hours of evidence relating to the murders. The admissibility of his confessions at any trial involving Mrs West for either the prosecution or the defence would be likely to be the subject of legal argument. So-called hearsay evidence given to a third party is not usual in criminal trials.

But a spokesman for the Crown Prosecution Service (CPS) last night damped down speculation that her trial might be abandoned. He said: "There are two criteria we work on: evidence and public interest. As far as the CPS is concerned, this trial is going ahead." Mrs West, 41, is currently on remand at Pucklechurch prison near Bristol, where she is being allowed visits from close family during the day.

Mr Goatley added: "Rosemary was not upset or fearful about Fred's death. Bear in mind that she felt a real sense of betrayal and anger when these discoveries were made. She did not want anything more to do with Fred."

He said: "She had rationalised that he was a split personality - that there was a dark side to him which she had not known anything about. She did know he was a rascal. He was not an angel by any means, and he used to get into trouble in one way or another over the years."

But Mr Goatley said: "She also knew him as a hard

worker and a breadwinner for the family so she is bound to have thoughts about that side of him too."

Rosemary West learned of her husband's death from prison authorities on Sunday afternoon. She was visited shortly afterwards by Mr Goatley and they discussed her legal position.

The Wests were due to appear at criminal proceedings on February 6 in Dursley Magistrates' Court, Gloucestershire. Mr Goatley maintained that the builder's death was unlikely to affect that scheduled hearing.

Meanwhile, newspapers, television and radio were warned last night that salacious reporting of the case could prejudice the forthcoming trial.

Tony Miles, West's solicitor, said that he had been appalled by some of the coverage that followed his client's suicide on Sunday at Winslow Green, Birmingham.

Death plan, page 3



Rosemary West: faces nine murder charges

## Saatchi turns down Saatchi

Maurice Saatchi, the Conservative Party's favourite advertising guru, has decided to sever his links with Saatchi & Saatchi, the agency which he created with his brother Charles.

Mr Saatchi, ousted as chairman of the company in a controversial boardroom coup last month, will inform the directors today that he is not prepared to accept the offer of a downgraded role as chairman of Saatchi & Saatchi Advertising Worldwide. Page 32

## Israel freezes settlement

After six hours of stormy debate in the Israeli Parliament yesterday the Prime Minister, Yitzhak Rabin, said the Government would freeze the building of a settlement on a disputed West Bank hilltop but might allow a smaller construction near by.

The compromise prompted heckling from the opposition, who accused Mr Rabin of caving in. Page 8  
Leading article, page 13

## Waiting for 'tax freedom'

"Tax freedom day", when the average wage earner meets the taxman's demands, will come five days later this year - on May 29 - according to the Adam Smith Institute.

This year will be the second in which the number of days needed goes up. In 1994, there was a five-day increase. Page 2  
Leading article, page 13

## Blair to lay down the law on instant policy-making

BY PHILIP WEBSTER, POLITICAL EDITOR

TONY BLAIR is to demand greater self-discipline from his shadow ministerial team after a succession of blunders over Christmas and the new year angered MPs and activists, and gave some much-needed relief to the embattled Conservative leadership.

The Labour leader is to lay down the law at next week's Shadow Cabinet meeting, telling members that they must not use interviews and newspaper articles to make policy "on the hoof".

He is to deliver what sources close to him yesterday called a "stern pep talk" after the shambles at the weekend when David Blunkett, the chief education spokesman, was forced to backtrack on his suggestion that Labour was considering introducing VAT on school fees.

Shadow Cabinet members are to be told that when they are asked questions in future about taxation, they should refer them to Gordon Brown, the Shadow Chancellor.

John Evans, a senior Labour MP and member of the ruling national executive, sharply criticised Mr Blunkett yesterday, saying that he had not enhanced his reputation.

"David Blunkett is a very able man but he does have this habit of making policy on the hoof. In the Labour Party that can be very costly."

Mr Blair will tell the 18 elected members of the Shadow Cabinet they must ensure that junior spokesmen "clear their lines" before making policy pronouncements. He is understood to have been unhappy that Labour spokesmen

also agreed to be interviewed on New Year's Day about the party's nuclear energy policy, and gave rise to speculation that this could be changed.

Doubts have also arisen over other planks of the education policy, particularly on opted-out schools, and *The Times* disclosed last week that Mr Blunkett was considering a plan to impose a graduate tax on students.

Mr Blair will remind his colleagues of their duty to uphold the secrecy of shadow cabinet discussions, after apparent leaks recently from a debate on referendums on the European Union.

Mr Blunkett believed that in ruling nothing out he was following the line that he recalled Mr Blair taking on VAT on school fees during the leadership campaign last summer. It was clear that the Labour leader insisted that his colleague make plain the VAT idea was not a runner and that Mr Blunkett readily agreed.

A senior Labour source said yesterday: "Let us face it. We have scored one or two own goals recently. If New Year's Day had not been such a busy news day we would have been pilloried more than we have."

Meanwhile it was confirmed yesterday that Labour is considering scrapping the charitable status of private schools. Mr Blunkett is to meet the Independent Schools Information Service early in the year. The concession is worth £42 million a year to the schools.

Woodrow Wyatt, page 12  
Leading article, page 13

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Jovial inmate was not considered to be at risk

# West took advantage of jail regime to plan death

By Stewart Tandler, Crime Correspondent

CHECKS on Frederick West were cut from every 15 minutes to once an hour several months before he hanged himself because he was not considered a suicide risk, the prison service admitted last night. He was thought to have adapted to prison life.

Judge Tumm, the Chief Inspector of Prisons, urged jails to adopt a 24-hour watch on potential suicide candidates, while John Bartell, the prison officers' leader, criticised the decision to relax security on West. He accused the prison service's top management of taking part in the decision.

Mr Bartell said he believed that any decision would have been taken "presumably with permission from head office. One would assume with a high-profile prisoner such as this that at least the minister would have been informed."

He said that in the 1960s officers had sat outside the cell doors of prisoners such as the Kray twins. Until three years ago officers taking part in special watches had to sign a book every time they made a physical inspection. Now the checks were visual.

Prison Service sources denied any central or ministerial involvement in the monitoring regime. They said that a prison doctor would have made the decision on whether West was suicidal and needed any special watch.

Derek Lewis, Director-General of the Prison Service, confirmed last night that West was not under any special watch when he killed himself and was not seen as being at risk. He was assessed as suicidal when he entered prison last year but the watch was later relaxed. It was resumed briefly and then taken off after another assessment.

Mr Lewis said that a 15-minute watch could not be relied upon and was changed

last year. Instead there were frequent but random checks on prisoners at risk so that they could not be sure staff would not interrupt them.

He said that a decision on West was taken, "as far as we can tell, in line with the normal procedures by the local staff and the medical staff at the prison", with no ministerial involvement.

As the investigation into the death began, it appeared that West had timed his end for Monday lunchtime when only a handful of officers were patrolling. Between midday and 1pm each day many of the staff were having lunch and others were going off duty.

On the morning of his death West appeared happy and relaxed. Prisoner WN3617 was "very jovial and buoyant" as he greeted prison officers on D wing at Winson Green prison. Breakfast was served at

7.30am just before day began to break across the city of Birmingham. After a breakfast of cereal and eggs West was allowed into one of the exercise yards escorted by two prison officers at about 10am.

The yard was reserved for top-security prisoners. No one noticed anything unusual in West's attitude during the exercise period of less than an hour. He made his way back to his cell and by 11am lunch was on its way from the prison kitchens to his wing, which includes a large hospital section below West's cell on landing D3.

After months in prison West knew he was now close to the time of day when he could attempt suicide with little interference. Prison sources believe that he had watched the prison routine and carefully calculated when he could put his suicide plan into

action. At midday, as he was locked in his cell with a meal of chicken soup and pork chops, he could probably hear prison staff going off for lunch. The early shift of officers also began to leave. For an hour patrolling was at a minimum: two officers were on duty on D wing, which held 42 cells.

At 1pm West knew that the daytime staff would return from lunch and be joined by more officers coming onto their shift. At 1.05pm he would be unlocked again so that his plates could be taken away.

Sometime after 12.30pm he made his final plans. He did not bother to block the door to prevent interruptions but must have calculated that he had enough time. There was no officer patrolling near by.

West fashioned his ligature from his clothes. He is believed to have used his prison issue shirt, tying one end to a ventilation grating above the door and then making a noose. The knot was designed so that he would die quickly. He climbed on to a chair and kicked it away.

At 12.55pm his body was discovered by one of the two patrolling officers, jammed against the door of his cell. The officer called for his colleague and they immediately began trying to resuscitate West, helped by other staff summoned from the hospital.

At 1.22pm a prison doctor confirmed death.

Judge Tumm told BBC Radio 4's Today that, in producing his report on prison suicides in 1991, he concluded: "I was very much advising against 15-minute checks and in favour of appropriate cases of continuous observation. That has got to be looked at."

Prisoners at risk of suicide should share a cell or be watched by someone else the whole time. Of West he said: "There may be good reason why he should share a cell, one of which is the possibility of suicide. I think it's got to be considered in each case."

Andrew Rutherford, of the Howard League, which also produced a recent report on prison suicides, said it was possible that West had taken his life because he was taunted by other prisoners. "Among the questions about Winson Green is to what extent West was shielded from constant shouts and abuse which goes with that sort of notoriety."



Frederick West: checks on his cell were reduced because he was thought to have adapted to prison

## Prison suicides at record level

FREDERICK WEST'S death in his cell follows a year that promises to set a record for the number of prison suicides, surpassing the 1993 figure of 46 deaths. Few were prisoners facing murder charges and many were young offenders.

Since the late 1980s prison governors, the prison inspectorate and reformers have been trying to find ways to

identify suicidal prisoners. In the past few years the Prison Service has begun to train staff and make greater use of counselling groups such as the Samaritans.

Continuous surveillance is a last resort because it can be too intrusive. It is used in extreme cases and in those circumstances a prison officer would be with the prisoner at all times. Disturbed

prisoners may be given a short period of "time out" in a stripped room but this is considered too extreme to be used for more than a short time.

Closed-circuit television is also considered intrusive. It is used in the United States to watch individual prisoners around the clock but only in very secure prisons to prevent escape and not suicide.

Mrs West case, page 1

## Fish takes wrong road in floods

By Kevin Eason

A CONFUSED salmon proved yesterday that humans were not the only members of the animal kingdom suffering during the freezing weather.

The salmon was spotted swimming along a flooded road in Whitby, North Yorkshire, by a policeman on his beat. Bystanders cheered as PC Karl Simpson rescued the 4lb fish from the New Quay Road and lowered it into the swollen river Esk.

The gales also forced unusual birds to British shores. A rare dusky warbler, which should have been wintering in South-East Asia, was blown thousands of miles off course and turned up in a nature reserve at Bideford, Devon. There have been only 140 recorded sightings of the bird, just four inches long, in Britain since records began, according to the Rare Birds Alert Pagets Group.

Guy Kirwan, the group's spokesman, said: "They can lose their way on the prevailing winds which is probably why this one has turned up, with the winds being so strong over the past few days."

## Second British skier dies off piste in Alps avalanche

By Emma Wilkins

AN AVALANCHE in the Alps has killed a second Briton in two days. Peter Andrew, 28, from Prestwood, Buckinghamshire, was skiing off piste at Le Grave in the French Alps when he was caught by the avalanche on Sunday.

Mr Andrew, an experienced skier, was swept down the mountainside into a lake where he drowned. He had been skiing at 9,500ft. It is understood that he was accompanied by a male American friend when the avalanche struck. His family was told of his death on Sunday.

Mr Andrew's brother said: "We haven't really had time to digest it yet and we are all very upset. Everyone is still trying to come to terms with it."

The accident came as mild weather combined with strong winds to make snow conditions hazardous and avalanche danger imminent.

Four-point avalanche warnings were in force in most resorts in the French Alps yesterday. The highest category of alert is a five-point warning.

The other Briton to be killed

in the Alps was Amanda Smith, 30, from east London, who died on Saturday while skiing off piste near Tignes, in France. Ms Smith, who was accompanied by a mountain guide, was buried under 7ft of snow.

The guide managed to dig himself out and raise the alarm but Ms Smith was dead by the time rescue teams arrived. French police have begun an inquiry into her death.

The deaths of the Britons bring the number of skiers killed in the Alps over the new year weekend to seven. All were skiing off piste.

The Ski Club of Great Britain warned skiers not to go off piste while weather conditions made snow fragile and dangerous. A spokeswoman said: "If the wind suddenly gets up and compacts the snow, you can get the 'wind slab' effect where vast slabs of snow are moved by the wind and cause an avalanche."

The Alps are expecting further snowfalls over the next few days. The Ski Club of

Great Britain said there was excellent skiing at Oberurgel, Austria; Les Arcs, Courchevel, Chamonix, and Val d'Isere in France; and good powder snow but a risk of avalanche at Verbier, Switzerland.

In Scotland, winds of up to 35 knots were reported on Cairngorm, where the temperature of -4C combined with strong winds. Conditions were excellent for skiers, with recent snowfalls and crisp conditions throughout the North. Nevis Range near Fort William had one of its busiest days with more than 2,000 skiers on the slopes.

One spot that missed out on the perfect skiing conditions by just a few miles was Glenshee, Tayside, where hardly a flake of snow fell and staff at the centre were reduced to making their own snow.

A spokesman at the centre, south of Braemar, said they were using snow-making machinery to spray water into the air at high-pressure which then lands as snow.

The three were taken to hospital suffering from cold and shock. One boy was treated for hypothermia.

Snow reports, page 22

## Storms

Continued from page 1

their owners during the storms.

The Bank Holiday sports programme was devastated with six out of eight races meetings called off. All three Rugby League fixtures were postponed, as were 15 English football games and ten Scottish football games. At Middlesbrough the referee called off the match against Barnsley at half-time because frost was hardening the pitch.

Electricity to hundreds of homes in Humberside was cut off as the authorities braced themselves for flooding. A Coastguard spokesman said:

"We are expecting an extremely high tide. It just depends on how far inland the winds drive the waves as to how many homes could be affected."

Parts of London were inundated when the Thames spilled its banks after a decision was taken not to raise the Greenwich flood barrier.

At Hornsea on Humberside six families were taken to safety when their homes were swamped by waves that crashed over a sea wall. In Scarborough, police sealed off the seafront as huge waves swept over the pier and sea wall. Debris and rocks were scattered on the roadway and iron railings were twisted and smashed.

On the South Bay seafront,

waves about 30ft high breached one section of sea wall and swept several cars out to sea. A police spokesman said the tide had reached almost seven metres instead of the predicted six.

Roy Jenkinson, a harbour watchman who went to warn anglers of the dangers, was hit by a wave and knocked 60ft backwards along the Fish Pier. The waves also demolished a reinforced concrete garage on the pier. Police said people had risked their lives by trying to record the waves with video cameras.

Seven people were lifted to safety by an RAF helicopter when three cars were engulfed by the tide on the causeway between Holy Island and the

mainland. The cars, stuck on the highest point of the causeway, were left in the water.

In Margate, Kent, a child's home worker and two young boys were rescued from a cliff after they struggled back to land after being washed out to sea by a freak wave. The 34-year-old man had been walking along the beach with the boys, aged 14 and 10, when all three were knocked off their feet. They managed to scramble back to a cliff ledge but were then cut off by the rising tide.

The three were taken to hospital suffering from cold and shock. One boy was treated for hypothermia.

Forecast, page 16



Prince Harry and Prince William, behind, arriving with Tiggy Legge-Bourke at Zurich airport yesterday

## Duchess gives up rooms for Prince

By Emma Wilkins

THE Prince of Wales arrived for a skiing holiday in Klosters yesterday after the Duchess of York agreed to vacate her hotel rooms to make way for him.

The Prince, who is accompanied by Prince William and Prince Harry, moved into the three-bedroomed suite at the Hotel Walserhof in the Swiss resort as the Duchess and her two daughters switched to another apartment.

The Duchess, who has been occupying the four-star hotel's best suite since she arrived in Klosters last Thursday, is understood to have reserved the rooms until next weekend. But when it emerged that the Prince was planning to stay

at the hotel, she agreed to move to rooms on the floor above. The suite is kept permanently by the Duchess and the Prince, both regular visitors to Klosters, usually stay there. This week is the first time their holidays have coincided.

It is understood that the Prince, who flew to Zurich airport yesterday, will stay for at least a week. His sons, who are due to start term at Ludgrove School in Berkshire next week, may return before their father.

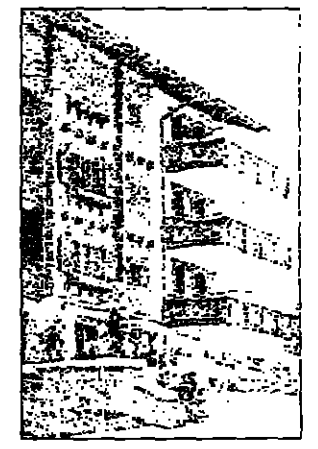
William, 12, and Harry, 10, are accompanied by Tiggy Legge-Bourke, a regular member of the royal entourage. Also in the party are four detectives and the Prince's private secretary.

The Duchess is expected to

return home with Princesses Beatrice and Eugenie in the next few days. The Prince is also taking over the Duchess's ski guide, Bruno Sprecher, who has been accompanying her party since she arrived.

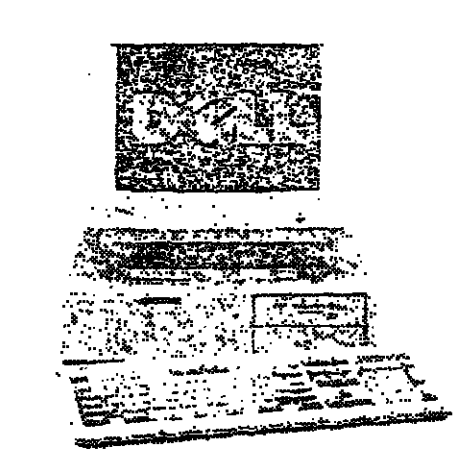
The guide, who is a close friend of the Duchess and the Prince, was with his party in 1988 when it was caught in an avalanche that killed Major Hugh Lindsay. The Prince, an accomplished skier, usually likes to ski off-piste.

The hotel, which has 11 rooms and two suites, charges about £150 a night and is not the most expensive in Klosters. With only about 30 guests, it cultivates a family atmosphere and is noted for some of the finest cooking in the region. The rooms are fully booked this



The Hotel Walserhof favoured by royalty

week. The local tourist office said there was about a foot of fresh snow on the slopes yesterday.



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SAPOT

سكنا مع الجاهل

## Northern Ireland Minister rejects Paisley claim that blaze was started maliciously

# Fire wrecks debating chamber at Stormont

By JOHN HICKS

A FIRE badly damaged the Stormont parliament buildings near Belfast yesterday. The historic Commons debating chamber was gutted and nearby rooms and corridors were damaged by smoke and water.

The alarm was raised at 8.55am and it took 100 firemen two hours to control the fire. The building has never had a sprinkler system, but one was due to be fitted as part of a £3 million refurbishment to be completed by the summer. Some Northern Ireland MPs expressed anger last night that no fire warning measures were in place.

About a hundred staff in the Department of the Environment work in offices on the fourth floor, with members of the International Fund for Ireland. But the premises were locked yesterday for the Bank Holiday and firefighters had to smash windows to gain access.

The Rev Ian Paisley, leader of the Democratic Unionist Party, visiting the scene, said that an RUC inspector had told him the fire had been started maliciously. Mr Paisley accused republicans. "People recognise the symbolic significance of the Parliament Buildings and that it's the symbol of the Union," he

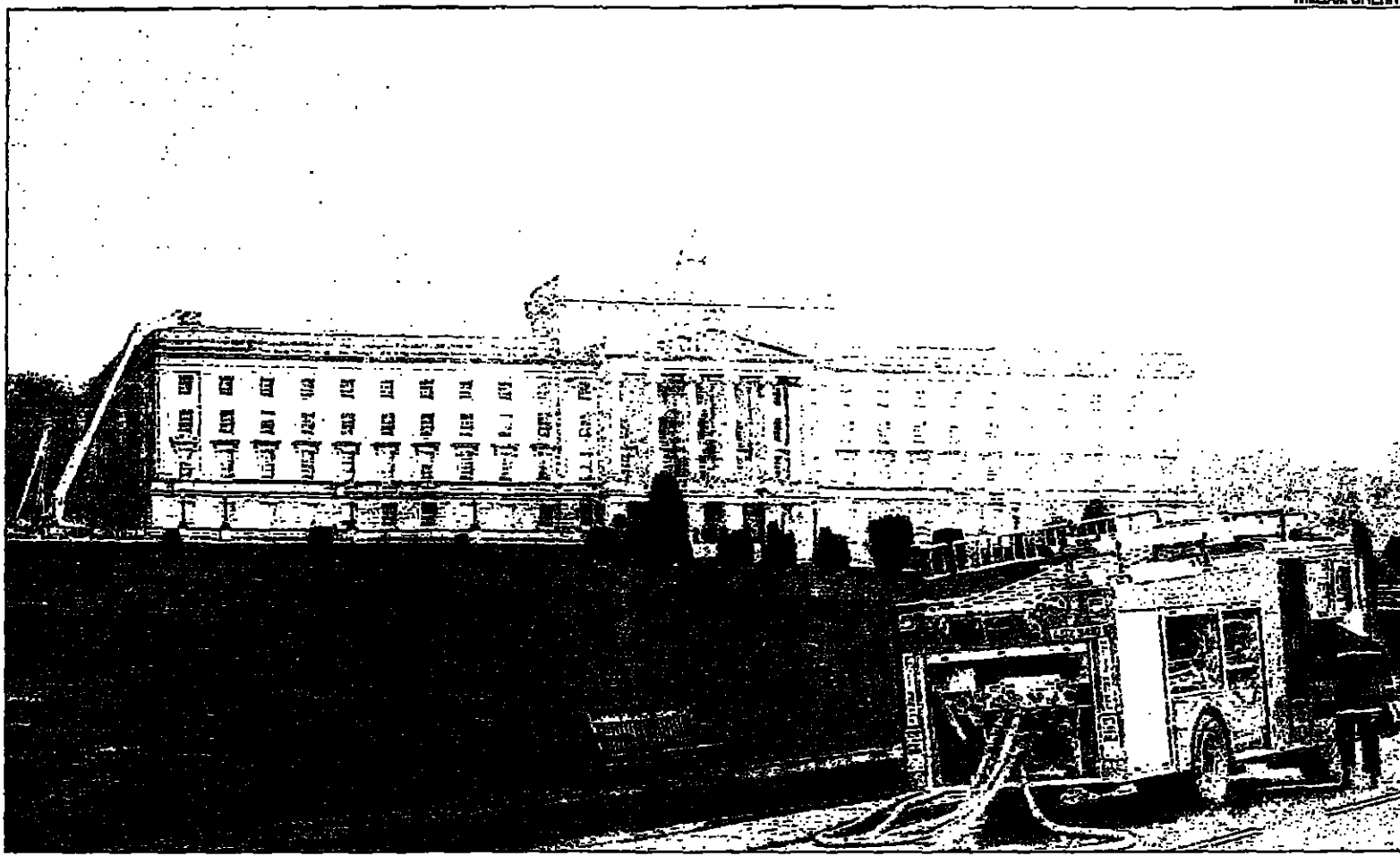
said. "Republicans always use the torch and the flame to destroy the symbols of the Union."

However, Malcolm Moss, a Northern Ireland Office Minister, said: "There is no evidence to support this allegation. It has been refused by both the assistant chief constable and the chief fire officer. The RUC have launched a forensic investigation."

Exploratory talks in the peace process between the Government and delegations from Sinn Féin and hardline loyalist groups have been taking place in rooms near the council chamber. The last meeting was held two days before Christmas. But Mr Moss said the fire would not inhibit the peace talks. "The political life of the Province will continue," he added.

The debating chamber in the west wing was the heart of the Protestant-dominated government until direct rule in 1972. It was last regularly used in 1986 when the old assembly sat. The Commons chamber was the home of the 52 members of the Lower House.

Kenneth Bloomfield, former head of the Northern Ireland civil service, said the gutted room was lavishly decorated. "It will be very difficult to



Smoke billows from the west wing of the Stormont parliament buildings yesterday. It took 100 firemen two hours to control the blaze

replicate the standard of workmanship," he said.

Peter Robinson, deputy leader of the DUP, claimed there were inadequate fire precautions at many other government buildings in the Province and demanded an independent public inquiry. "It is recklessly irresponsible no adequate security or fire warning measures were in place," he said. He claimed that a man walking his dog had raised the alarm.

John Taylor, the Ulster Unionist MP for Strangford, said he was shocked that security within the parliament

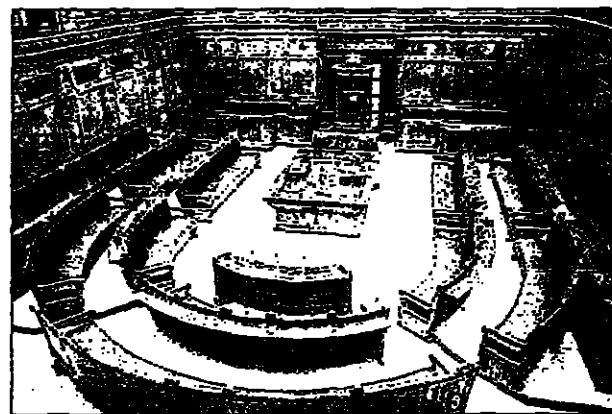
buildings was "non-existent". "If this is correct, then the present Northern Ireland Office Minister responsible for security at Stormont should resign at once."

Sir James Kilfedder, Unionist MP for North Down and Speaker in the old Northern Ireland Assembly, said he hoped the fire would not disrupt the developing peace process. He added: "Parliament buildings had been the focus for political progress, and it is a tragedy that the new year should have begun with this disastrous fire."

The neo-classical building,

which has a 300ft frontage, was designed by Arnold Thornley and opened in 1932 for the first parliament after Irish partition. The exterior is faced in Portland stone above a plinth of granite from the Mountains of Mourne.

Until the Second World War Stormont gleamed snowy white but was painted with a biumen substance to disguise it from German bombers and after it was cleaned off never regained its whiteness. The renovation work was due to be completed in time for any agreed local government assembly.



The Commons debating chamber was gutted

## Crime fear outweighs risk of violence

By ALEXANDRA FREAN  
MEDIA CORRESPONDENT

FEAR of violent crime in Britain by far outweighs the real risk of assault, according to a survey commissioned by the BBC. The poll shows that, on average, people believe that 26 per cent of the population will become a victim of a violent crime in the next 12 months, whereas crime statistics show that it is more likely to be between 1 and 2 per cent.

Sue Davies, a BBC producer who commissioned the poll, said the survey was one of the first to measure the gap between fear of crime and reality. Nearly three quarters of people think they are more likely to be the victims of violent crime than they were ten years ago, and anxiety about violent crime outweighs worries about the NHS, unemployment, education standards and inflation, with 71 per cent of people claiming to be "very concerned".

The survey of 1,002 adults, which will be broadcast in *The Violence Files*, a three-part documentary starting on Radio 4 tonight, also shows that those with the greatest fear of crime are the least likely to be affected. The elderly are the most fearful, although victims are most likely to be males aged 16 to 24.

Films and videos were blamed by 73 per cent of respondents as the primary contributors to violent behaviour and 60 per cent thought that screen violence "makes people behave more violently". However, 94 per cent said that lack of discipline in the home was the most important cause of violent behaviour.

Breakdown in family values, unemployment, lack of school discipline and poverty are all considered to be more important causes than films or television. "Fear of crime has become a neurosis of the late 20th century. It is a receptacle for all kinds of other anxieties in the same way that sex was in the Victorian age," Ms Davies said.

She added that attitudes towards violence were ambiguous. While deploring its impact, some people found it and the criminals who perpetrated it fascinating. "Just look at the degree of public interest in the Frederick West case," Ms Davies said.

The survey follows Home Office figures that showed a 5 per cent rise in violent crimes for the year to June 1994, the smallest increase since 1988. It also comes in the wake of growing anxiety among broadcasters about screen violence. Michael Grade, chief executive of Channel 4, has called for all channels to halt crime re-enactments until it can be established whether they add to viewers' fears of violence.

## BR leaves vandals to walk home

MORE than 50 vandals had to walk eight miles home in the freezing cold on New Year's Day after British Rail told a train driver not to stop at their station.

Earlier in the day the vandals had smashed two reinforced glass compartment doors and wrecked a lavatory when they travelled from Andover, Hampshire, to Whitechurch. They also overturned all the plant tubs at Andover station.

When the guard of the damaged train heard that they intended to return on the last train to Andover he tipped off his bosses and they told the driver not to stop at Whitechurch. Passengers travelling to Whitechurch were taken there by taxi from Basingstoke station.

## British Gas harries clerk for £4 refund

A CLERK is being threatened with legal action by British Gas over £4 it claims she was overpaid in wages.

The company has written to Jane Brodie, 26, of Carterton, Oxfordshire, said: "It is unbelievable they are chasing me for just £4 when the chief executive got that massive pay increase. It used to be such a good company to work for and all the plant tubs at Andover station. But now the way they are treating people is awful."

Mrs Brodie worked in the customer services department at the British Gas offices at Oxford, earning £6,000 a year for an 18-hour week. Last May, she was one of 30 office workers told that they faced redundancy. She subsequently took a full-time job as

customer services manager for a toy-making firm.

After she received her final pay cheque from British Gas, the company wrote to her saying she had been overpaid by £4. She said: "I treated it as a joke. I could not believe they would waste time and money on such a letter." Mrs Brodie also ignored a second letter. On New Year's Eve, she received a third by recorded delivery, saying the matter would be put in the hands of solicitors unless she paid the debt. She said: "It is obviously a mistake on their part."

Cedric Brown, the British Gas chief executive, was recently given a 76 per cent pay rise at the same time as the company was closing showrooms and cutting office staff. No one was available for comment at British Gas yesterday.

## Knight set for theft trial at Old Bailey

By RICHARD DUCE

THE former fugitive Ronnie Knight is scheduled to go on trial at the Old Bailey today accused of theft after a £6 million armed robbery that took place more than a decade ago.

Mr Knight, 60, who spent 11 years in self-imposed exile in Spain after the robbery at Security Express on Easter Monday, 1983, was arrested when he landed at Luton airport in May last year. He is accused of stealing £5,961,097 and with dishonestly receiving an unknown amount of cash from the robbery between April 3, 1983, and April 3, 1986.

Mr Knight first appeared in court in May last year after he was accompanied back from his villa on the Costa del Sol by representatives of a national newspaper.

Mr Knight, whose second wife was the actress Barbara Windsor, says that he is innocent of any involvement in the robbery at the London headquarters of Security Express in Shoreditch when one of the guards was doused with petrol and told that he would be set on fire unless he handed over the keys to the vault.

Mr Knight ran a nightclub, R Knights, in Fuengirola and in 1987 married his long-time girlfriend Sue Haylock, 42.

## Police chase man soaked in petrol

A MAN doused himself in petrol and threatened to set himself alight after police were called out to a reported assault at his home.

When officers arrived at the house in Sunderland, the man, 36, ran into his garage and poured a can of petrol over himself. He threatened to set himself on fire with a cigarette lighter, telling the policemen to keep away. The man then drove off in his car, and three police cars gave chase for nearly an hour through the city's streets in the early hours of New Year's Day. The man was eventually stopped in the car park of Sunderland General Hospital.

All three police vehicles were damaged, and one officer was slightly injured in a collision as the pursuit ended. A spokesman for Sunderland police said: "We arrested a 36-year-old man who is now receiving medical treatment. The fire brigade were put on stand by after he doused himself with petrol."

## Biffen joins protest over Whitehall spending cuts

By TONY DAWES

A DELEGATION from a county long considered part of the Tory heartlands descends on Whitehall today to tell ministers that their policies will close old people's homes, increase the size of school classes and reduce many services, including fire brigades.

John Biffen, a former Cabinet minister, will join Shropshire councillors of all parties in briefing former colleagues on the "devastating" effects of local government cuts demanded by John Gummer, the Environment Secretary. Spending figures proposed by Mr Gummer last month will leave a £14 million shortfall in Shropshire's 1995-96 budget.

Most of the authorities hit hardest by government plans

to increase council spending by only 0.8 per cent are Labour, but they include Shropshire, run jointly by Labour and Liberal Democrats. The Tories will need to make a big impression in the shire county if they are to win the next general election.

"If these cuts take place, it will be the Government which gets the blame," Mr Biffen, MP for Shropshire North, said. "This is not a profligate council, not a Lambeth up North."

David Curry, the Local Government Minister who will meet today's delegation, has described council protests at spending cuts as "an annual ritual" that ends with their "working within the limits

effectively". But Sue Davis, Shropshire's Labour leader, said: "We have been badly treated for four years now. We are unanimous that the prospective level of cuts to schools' budgets is intolerable."

Graham Arnold, headteacher of Adams' School, Wern, said: "The effect of the proposed budgets is that classes will be increased in size and parents will have to contribute towards the cost of books and materials."

The proposed social services budget is being reduced by nearly £3 million. The council is reluctantly considering shutting four of its 30 old people's homes. Shropshire fire service could lose one of its five full-time crews.

## THE TIMES Win the trip of a lifetime to the biggest party in history

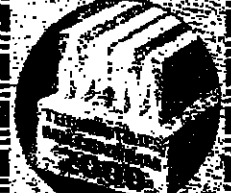
Today is day eight of *The Times Millennium 2000*, which offers readers the opportunity to spend New Year's Eve 1999 crossing the International Date Line to both Fiji and the Cook Islands to see in the new millennium twice. First prize is a 28 day world air cruise for two culminating in New Year 1999 in Fiji and the Cook Islands to join in the festivities. The trip takes in Dubai, Thailand, Singapore, Tucson, Washington and Sydney. It includes helicopter sightseeing over the Fiji Islands and hot-air ballooning over the Arizona desert, and would cost £64,000 to book in 1999.

A second prize of a ten day stay for two in Fiji and the Cook Islands worth up to £7,000 and a third prize of two tickets chosen from any of the millennium party venues available to readers are also on offer.

Should you be unsuccessful in the competition, you can still take part in the festivities by booking the Fiji and Cook Islands trip separately or taking advantage of our selection of deluxe party venues round the world. The parties are the brainchild of The Millennium Foundation, a non-profit-making charity which is organising fundraising parties to help specific local charities across the world. In St Petersburg, for instance, the money will help restore the Hermitage gallery and fund the Kirov Ballet.

You could, for example, celebrate the dawn of the new millennium while experiencing the delights of Singapore. The gala party includes lavish fireworks displays and dragon dances. Your stay at the renowned Westin Plaza Hotel, one of the city's most distinguished locations would cost £3,250 per person in 1999, but readers can secure their places now for £2,250 each. Commencing December 28, 1999, the cost includes air travel and hotel accommodation and your ticket to the gala party on New Year's Eve.

### TOKEN 8



To enter the competition collect the 18 tokens and answer the 18 questions which are appearing between December 26 and Saturday January 14. Send the tokens and answers on a separate sheet of paper, stating in not more than 15 words why you would like to join in the celebrations, to: *The Times Millennium 2000 Competition*, 5 Brittons Court, London EC8B 6NG. Closing date January 31, 1995. Normal *Times* competition rules apply.

Details of how to book the millennium gala parties, which appeared last week, will appear again on Saturday. Further information about the parties can be obtained by writing to: Millennium 2000 Ltd, Freeport GW 7623, Glasgow G3 7BR.



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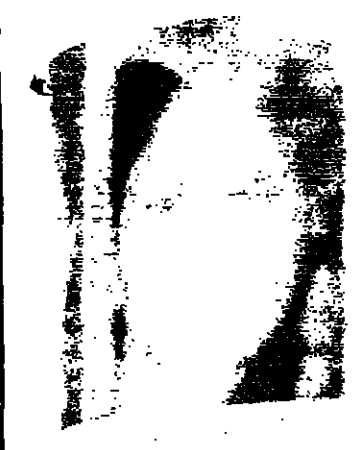
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His aborti  
magers ta



and girl  
murder



# NHS abortions rise as managers take control

By JEREMY LAURANCE, HEALTH SERVICES CORRESPONDENT

RECORD numbers of women are having abortions through the NHS as senior staff divert funds from other areas to pay for them.

Since 1989, the number of NHS abortions has risen by 9,000 to almost 80,000, the highest level since the Abortion Act was passed in 1967, despite a fall in the total number of abortions.

It is thought that the increase is caused by the greater influence of young, sexually active managers on health service spending. Under the NHS reforms, managers have taken over responsibility for setting the level of service from older, mostly male, gynaecologists, who were reluctant to become involved in dealing with unwanted pregnancies. The feeling by many gynaecologists that abortion was unethical or distasteful had led to wide regional variations in the provision of NHS services.

Managers, who have grown

up in an era in which abortion was widely available, are more likely to understand the stress caused by an unwanted pregnancy, according to David Faintin, chairman of the abortion research charity Birth Control Trust. The trust's latest figures show the proportion of NHS abortions, at 57 per cent of the total in 1992, to be at the highest level since 1971.

The increase is occurring despite an overall fall in the number of abortions because of a decrease in the population aged 15 to 30. Abortions peaked at 174,000 in 1990, falling to 160,500 in 1992. Most are performed on women in their late teens and twenties, whose numbers were rising between the mid-1970s and 1989 but are now declining.

In the South West Thames region, 41 per cent of abortions are paid for by the NHS compared with 79 per cent in the South Western region, 45 in the North Western region, 45

per cent are paid for by the NHS compared with 85 per cent in the Northern region and 90 per cent in Scotland.

Mr Faintin, emeritus reader in obstetrics and gynaecology at St Mary's Hospital, London, and chairman of the trust, said: "The main factor affecting provision has been the attitude of the consultant gynaecologists. If they see unwanted pregnancy as a serious stress in a woman's life they will gather resources to run an abortion service. But if they feel it is unethical or merely distasteful they will concentrate their efforts in other directions."

The increase in NHS abortions of the last few years is almost certainly due to the fact that non-medical managers, who now purchase care, see the need more clearly than consultant gynaecologists. Four out of ten women have had an abortion by the age of 45 and it is quite likely that some female purchasers have

had that experience and know the pressures, while the mainly middle-class backgrounds are more insulated from the stresses of life."

Under the Abortion Act, any woman seeking a termination, whether NHS or private, must be examined by two doctors, who are required to ascertain that continuing the pregnancy would threaten the woman's physical or mental health, or that of any of her children, to a greater extent than ending it.

Mr Faintin said that despite the rise in NHS abortions the need was not being met in many areas. "Most of these women are young, few have large incomes and they deserve prompt and sympathetic help from the NHS. We don't want to force gynaecologists to do abortions or to allocate extra beds. It is better to contract the work out to charities, who already do 45 per cent of abortions and are probably cheaper than the NHS."



Hasna: raised alarm after mother killed



Amina Khan: killed by callers to house

## Police guard girl who saw murder

By RICHARD DUCE

A GIRL aged three was under police guard at a secret address last night after telling detectives that she witnessed the murder of her mother by three women.

Hasna Khan told police that the women beat her mother Amina in their home in Washington, Tyne and Wear, on Friday night. This has placed the girl in a vulnerable position, reminiscent of the Oscar-winning film *Witness*, in which a child sees a murder and has to be protected from the killers. Specially trained officers and a Bengali interpreter interviewed Hasna, who speaks no English, for an hour in front of a video camera. Detective Superintendent Ian Lynch, who is leading the inquiry, said: "We are very hopeful that, as a result of the interview we have had with the child, we can progress on a number of leads."

Mr Lynch said Hasna could be in danger. "Steps have been taken to ensure the safety of that child." He added that Hasna had been traumatised by what she had seen and police were not sure if they would be able to conduct further interviews. "Hasna will be examined and spoken

to by a specialist and that will determine whether we can talk to her again." Under the Criminal Justice Act, her videotaped evidence could be used in court.

Hasna has told police that the three women were "fossa", a term which means non-Asian or that their clothing was casual or scruffy. She said she was watching television last Friday with her sister Henna, who is nearly two, and her brother Sabir, ten months, when a black woman, whom she described as pretty and wearing a black dress, called at the house. But after the visitor was welcomed in, a fight broke out between the two women.

The caller was then joined by two other women. Hasna used the word "marser" which means her mother was then stabbed, kicked or punched. Police said the mother's throat had been slashed.

The alarm was raised after a relative telephoned to wish the family a happy new year and Hasna said her mother had been attacked.

Hasna's father Nurul Ahmed, who was working at a restaurant at the time of the attack, was yesterday comforting his two other children.

## Refugees survive in sight of home

By JOHN YOUNG

KATICA VUKSAN and four members of her family are living in a small prefabricated building in Pissarovina near Zagreb. On fine days, they can see, less than two miles away, the home in Lasinje they were forced to flee after fighting erupted in Croatia in 1991.

Ms Vuksan is one of about 400,000 refugees in Croatia alone. "Four years ago I had everything," she said. "A nice family, a big home and farm and a good life. Now we have nothing."

"Our husbands and brothers are killed, children and elderly people are displaced. Our homes are destroyed, our villages are occupied and we are living in former army barracks, hotel rooms or temporary settlements."

"We have no more hope. Everybody is promising that we will return but that seems far away. Peace negotiators come from all over the world to try to find solutions, and our politicians are also offering plans but all without result. We are sitting doing nothing

and waiting." According to Dr Adalbert Rebic, of the Croatian government office for displaced persons, about 10 per cent of the population are homeless in the former Yugoslav republic and nearly 60,000 have fled abroad.

The International Red Cross is working to provide activities for the refugees and to counter social and psychological problems such as alcoholism. It is also providing monthly parcels containing food and hygiene supplies.

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Russell Keeley with Sam, the 14-year-old tabby that survived being put to sleep

A CAT that was put to sleep with a lethal injection came back to life the next day.

Russell Keeley, 55, and his wife Pat, 60, reluctantly decided to have their 14-year-old tabby Sam put down when it became ill. Guy Lown, a vet, visited their home in Ipswich to give Sam an injection and declared it dead when its heart stopped beating.

Mr Keeley, a former hospital worker, put the body in a box but the next day when he opened it for a last look he saw the cat's whiskers twitching. He said: "I heard mi-

## Cat comes back from the dead

owls and I couldn't believe my eyes when I saw he was alive. He actually seems to have got better. He has started eating again and has had a whole rabbit in the last couple of days."

The vet offered to give Sam another injection to finish him off, but the couple re-

fused. Mr Keeley, who says he will not pay the £34 bill for the first injection, said: "There was no way we were going to have him put down again."

Mr Lown, of the Highcliff veterinary practice in Ipswich, said: "I gave the cat a lethal dose. It should have been enough to kill it instantly. I was incredibly surprised when Mr Keeley told me it was still alive. The chances of this happening must be several million to one. I can only presume that the cat was just in a very deep coma."

## NEWS IN BRIEF

### Strangers in suicide pact saved

A man and a woman who met as strangers discussed their separate domestic difficulties and decided to engage in a suicide pact, police said yesterday. They were rescued by two policemen who investigated their parked car.

PC Mark Cawthorne and PC Ian Ward were patrolling in Breton Sculpture Park near Wakefield. They found the unnamed man, 31, and woman, 38, from Barnsley in the car and a pipe leading from the exhaust. The officers smashed a window, dragged them out and gave first aid until an ambulance arrived.

### Historic note

Beach House in Felixstowe, Suffolk, where Edward VIII met Wallis Simpson for several secret rendezvous before his abdication in 1936, has been demolished. It will be replaced by 14 flats with extensive sea views.

### Back in custody

A ceremonial truncheon presented to the Mayor of Cambridge in 1909 by local police and which went missing soon afterwards has been returned after police in London seized it at a street brawl where it was being used as a weapon.

### Stumping up

An 1804 first edition of *Wisden* is expected to make up to £2,000 in an auction of cricket memorabilia belonging to the late Hal Cohen, a Birmingham dentist, that could fetch £150,000 at Phillips in Bath on January 26.

### Death remand

A boy aged 15 was remanded in custody by Bridgend Youth Court, Mid Glamorgan, charged with the murder on New Year's Eve of Alan Bennetta, 36, who died from a single stab wound in a street attack at Llangenor.

### Post dated

Patricia Brookes, 72, of Cambridge, has just had three postcards delivered: one from a friend in Germany and one from her daughter in France, both with 1993 postmarks, and the third from friends in Glasgow, posted in 1992.

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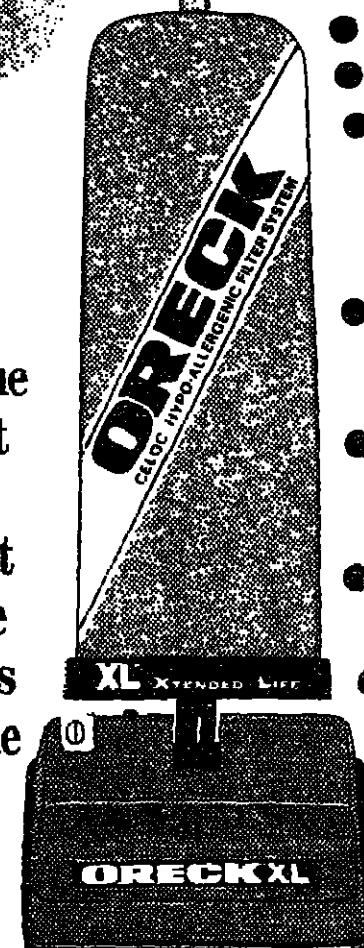


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## SHEEHAN on BRIDGE

Dealer South	North-South vul. Rubber bridge
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<p>♠ QJ3</p> <p>♥ K63</p> <p>♦ K</p> <p>♣ K10654</p>	<p>♠ K52</p> <p>♥ AQ10874</p> <p>♦ 82</p> <p>♣ 7</p>
<p>S 19</p> <p>W 29</p> <p>N 39</p> <p>E 49</p>	<p>Dble (1)</p> <p>Pass</p> <p>Opening lead: ♠K</p>

(1) Penalty.

By ROBERT SHEEHAN  
BRIDGE CORRESPONDENT

I was South. My partner and I missed a good game - the king of clubs is very likely to be with West, and failing that East might have the king of hearts either doubleton or singleton. So where did we go wrong?

When the hand occurred, North thought he had done well to raise to Three Hearts, and I was inclined to take the blame. Now that I look at it again I'm not so sure - admittedly I have got a seventh heart and excellent intermediates (important - because North will have poor hearts, having doubled the opponents in Two Clubs).

On the other hand, my point count is absolutely minimum. I'm coming round to the view that North should have bid Four Hearts - after all I did bid freely over Two Diamonds when North's hand might have been completely useless for me. For a double of Two Clubs, North's hand is very suitable for play opposite a long heart suit.

From February 10-19 I will be playing in the Malta International Bridge Festival. The organisers claim there is a reasonable chance of good weather. For details contact M Dix (fax 010-356 373683) or Paula Clarke at Thomas Cook (071-408 4151, fax 071-408 4299).

## KEENE on CHESS

By RAYMOND KEENE  
CHESS CORRESPONDENT

**Conquest at Hastings**

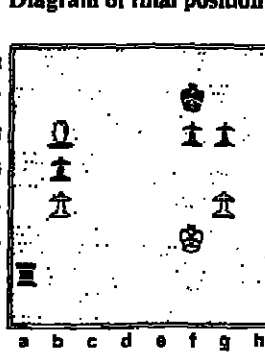
In the challengers' tournament at Hastings, Stewart Conquest of Bristol leads with 4.5 points after five rounds.

Sixteen-year-old Harriet Hunt of Oxford distinguished herself in round four by defeating James Plaskett of Bedford, a grandmaster and former British champion.

White: James Plaskett  
Black: Harriet Hunt  
Hastings, January 1995

English Opening	White signs
1 Nf3	g5
2 c4	g6
3 d3	Nf6
4 Bc2	g5
5 e3	Nc6
6 cxd5	exd5
7 Bc5	Bc6
8 Ne5	Oc7
9 f4	O-O
10 Bxc6	bxc6
11 O-O	Nd7
12 Nxd7	Bxd7
13 Qc2	Qf6
14 Nc3	g4
15 Ne4	d4
16 Rd1	dxg3
17 dxc3	Re7
18 Nxe5	Re8
19 Nxd7	Qxd7
20 Rd1	Rxd3
21 Qc4+	Rh8
22 Rxc3	Rxc3
23 Kf1	Qc8
24 Qd4	Bc7
25 Qxd7	Re7
26 Qf2	Qh5

### Diagram of final position



### Luther leads

In the top section at Hastings, the Vera Menchik memorial tournament, the lead is held after five rounds by Thomas Luther, the German grandmaster, who has 4 points.

Sharing second place are John Nunn and Alisa Maric, both on 3.

Winning Move, page 32



# Iran ready to rip down TV dishes in war on 'indecent West'

By Michael Binyon  
diplomatic editor

IRAN, at the forefront of the campaign by Islamic activists to turn back the tide of Western influence, announced yesterday it was ready to tear down all satellite dishes after parliament passed a law at the weekend banning their import and distribution.

The parliamentary Bill, which will become law when ratified by the Council of Guardians next week, empowers the Ministry of Islamic Guidance to "safeguard cultural boundaries of the country and of its families against destructive and indecent satellite programmes".

The law gives satellite users a month to remove their dishes or face prosecution. Ali Muhammad Besharati, the Interior Minister, said police would move in after that date. A police helicopter flew over

several districts of Tehran yesterday to pinpoint houses and flats fitted with dishes, and Muslim militias have also drawn up lists of owners, who face fines of up to £1,000 for disobeying the new law.

There are an estimated 250,000 satellite dishes in Tehran and more in other large cities. Some three million people are now regularly tuning in to Western broadcasts. Iranian clerics have denounced Western, mainly American, satellite programmes as pornographic and corrupting, and for months have been agitating for a ban on all satellite equipment.

The demand has met strong passive resistance from educated, middle-class Iranians, who watch Western programmes as an escape from the boredom of the puritanical regime. Some officials have also given a warning that banning dishes would force people to watch

**Islamic activists have persuaded the Tehran parliament to outlaw viewers' satellite equipment. But the attempt to keep out foreign programmes looks doomed, Michael Binyon writes**

Western stations clandestinely. Iran has attempted to meet the demand by producing its own programmes, but these adhere to the rigid religious guidelines on what can be portrayed, and carry only official information.

Many Muslim and Third World countries are increasingly worried by the rapid spread of Western satellite broadcasting, which is seen as a form of cultural imperialism. So persuasive are the images of Western lifestyles, and so hooked are many people on soap operas, that the programmes have begun to influence

fashion, taste, music, material demands, ways of thinking, and even — as many governments feared — political attitudes.

In Tehran's parliamentary debate, Nafiseh Fayaz-Bakhsh, a woman deputy, said: "I have heard some barber shops and beauty salons say, 'Our customers, especially young ones, ask us for the make-up, hair cut or dress style of last night's programme on satellite television.' When a 15-year-old or 18-year-old sees attractive programmes by satellite, when he or she listens to CNN or BBC news ... will they be willing to listen to our news?"

Iran has stepped up customs controls to stop the smuggling of satellite dishes, whose cost, before the ban, had fallen to about £290.

The main armed opposition group, the People's Mujahidin, based in Iraq, denounced the ban as state repression, saying it showed that foreign information posed a threat to the Tehran regime.

Saudi Arabia has also tried to curb the spread of satellite dishes, and last March passed a law banning their import or manufacture after strenuous complaints by religious leaders. The Saudi Government called for the compulsory sale of all existing dishes, and said satellite programmes that conformed to Saudi "religious and social values" would instead be shown on cable television.

The attempts by governments to prevent popular access to Western television

appears doomed to fail, as dishes become smaller, smuggling grows, and the amount and variety of programmes broadcast by satellite increase. The BBC has recently increased the output of World Service Television, and plans a further big expansion this year, with an increase in regional programming. The BBC Arabic service has already begun, using a satellite controlled by Saudi interests.

□ **Dubai:** Cash-strapped Saudi Arabia yesterday announced more price increases for public services aimed at boosting revenue in 1995 and introducing fiscal discipline in the kingdom, the world's largest oil producer. Telephone charges went up and tickets for domestic air travel on Saudia, the state carrier, rose in price by 10 per cent for economy class and 20 per cent for first class. (Reuters)

## Rabin compromise angers settlers and Palestinians

FROM BEN LYNFIELD IN AL-KHADER, WEST BANK

IN AN ambiguous response to Palestinian protests, Yitzhak Rabin, the Israeli Prime Minister, said yesterday that the Government was freezing settler building on a disputed West Bank hilltop but would allow it to proceed on another nearby site.

The announcement, made in parliament by Mr Rabin, gives the Efrat settlement south of Bethlehem a chance to build a new neighbourhood, but will block the settlers from building on a hilltop overlooking the Palestinian town of al-Khader.

Mr Rabin said the original construction site "clearly was not a natural extension of Efrat" and that the new neighbourhood would be located about a mile closer to the settlement.

Sach Erakat, a senior Palestinian negotiator, said the decision did not go far enough because it left the door open for a compromise between the Government and the settlers by allowing them to build at another site. "Mr Rabin can't solve the problem by moving bulldozers from one hilltop to another," he said. "Rabin has to make clear, and the Israeli people must know, it's either settlements or peace."

He added: "The issue is not al-Khader. The issue now is of settlements in the West Bank, including around Jerusalem. If they decide to extend settlements, I think the peace process will become meaningless." Aharon Domb, spokesman for the Jewish settlers, threatened to ignore Mr Rabin's decision. "If the Government sends the army to stop us, it will be their problem," he said.

Mr Rabin said his decision was motivated by a desire to reach a peaceful accommodation with Palestinians while at

the same time preserving Israeli control over all of Jerusalem. The Cabinet was scheduled to reconvene yesterday evening to discuss the plan, which appeared to steer a middle path between hawkish and dovish ministers.

"We would like to arrive at peace, to an arrangement, but we do not want a bi-national state and therefore we say 'no' to the complete biblical land of Israel," he told parliament. "At the same time, we do not want to withdraw to the 1967 lines."

Soldiers yesterday evicted Palestinian protesters from a car park close to the site of the settlement.

**Israeli soldiers shot dead a gunman of Hamas, the Islamic Resistance Movement, near Hebron yesterday. Palestinian and Israeli military sources said. The dead man was Bassam al-Masalmeh, 25, from Beit Awwa. Another man, 50, from the same village was reportedly injured in the incident.**

disputed settlement and sent them back to al-Khader.

Benjamin Netanyahu, leader of the right-wing Likud Party, said Mr Rabin's decision marked a caving in to Palestinian pressure. "We see here a government that backs away not only from its decisions, we see a government that is backing away from Zionism," he said.

On Sunday, in a televised address marking the 30th anniversary of the founding of his Fatah movement, Yasser Arafat said: "We should stand in the face of any attempts to impose a de facto situation that precedes talks on the final status. The continuation of

settlement activities ... like those in al-Khader mean a premeditated attempt to kill the peace process."

Israeli settlers had said that they would fight any decision to stop construction, even if it were only temporary, and hinted at violence. "We will defend the continuation of development and building here as a man defends his home," said Hanan Porat, a right-wing MP who lives near Efrat.

Just 12 miles south of Jerusalem, Efrat, a settlement of 6,000, is part of the Gush Etzion bloc that many Israelis consider a part of greater Jerusalem, and hope to incorporate inside Israel as part of a peace settlement. Settlers in Efrat say they purchased the land legally. Palestinians in al-Khader claim the land has been theirs for generations and that they have deeds to prove it. They see the construction on the 150-acre plot as the creation of the first new settlement since the peace accord signed with Israel in 1993.

Daily protests at the site came to a head last Friday when protesters tried to break through an army line to reach the disputed site. Eleven Palestinians and seven Israelis were injured.

Settlers argue that stopping the building will set a dangerous precedent, leading to the halting of other building projects on disputed land around Jerusalem and signalling to the Palestinians that they can go more land.

"We fought very hard to be here, and we want to remain here," declared Rabbi Shlomo Riskin, an American immigrant from New York who is the head of the religious community in Efrat.



Isabelle Autissier being welcomed yesterday by a member of her shore crew at Edinburgh air base in Adelaide, where she was flown after being rescued from her crippled yacht halfway between Australia and Antarctica

## Saved yachtswoman vows to sail on

Adelaide: Isabelle Autissier, the French solo yachtswoman, pledged yesterday to return to sea as soon as possible after being rescued from a five-day ordeal on a rudderless yacht in rough seas.

Mme Autissier, 38, the only woman in the BOC Round the World Solo Challenge race, was winched off the deck of her *Ecureuil Pointe Charentes II* by an

Australian navy helicopter and then flown to Adelaide yesterday.

Her ordeal began on Wednesday when a huge wave rolled her boat 360 degrees in a gale, halfway between Australia and Antarctica, snapping the masts, and tearing a big hole in the deck of the ocean racer. She told the helicopter crew: "I am here because of

you and I will never forget that." She said her main concern now was retrieving her yacht if possible. "This boat represents three years of my life." A trawler is to try to salvage the yacht.

Mme Autissier won the first leg of the race from South Carolina to Cape Town. She would "like to do the third leg if you can get the boat". (AFP/Reuters)

## Bankrupt Rwanda regime watches with dismay as aid flows to foes

FROM TOM WALKER IN KIGALI

STANDING more than six feet tall, Major Rose Kabuye, the new prefect of Kigali, commands respect. "Don't make any jokes with her," a secretary said.

There is little enough to laugh at for the new Rwandan Patriotic Front (RPF) administration in the bullet-scarred capital. Ministries have no cars, and the electricity supply is sporadic; most windows are smashed and government statements are printed on the back of already-used paper.

For Major Kabuye, it is difficult to understand. Five months ago, she stood in her battle fatigues guarding the city's King Faisal hospital, an AK47 at her side, a proud liberator. Now she sits, sharp-suited, in her civic office, chatting while the international community dispenses millions of pounds in aid to

Hutu refugee camps outside the country. Among the recipients are the thugs she helped to defeat. They get international assistance, the Government does not.

"People seem to have misunderstood our position," she said. "We're told that before we can have aid, we have to give these people amnesty, we have to let them back. Since June we have received nothing from any foreign country. We rely on aid agencies."

The bankrupt Government's grip is slipping. Soldiers of the Rwandan Patriotic Army run amok in the countryside, jealous and vengeful. But there is no prospect of bringing in a more moderate gendarmerie, because there is no money to train anybody.

Charming and intelligent as Major Kabuye is, as a representative of a popularly detest-

ed military Government she will be hard-pressed to woo donors. Moreover, Rwanda is on the front line between anglophone and francophone Africa, and backers such as France and Belgium are uneasy at seeing a largely English-speaking administration with strong links to Uganda.

"People exaggerate the Ugandan influence," said Major Kabuye, who trained and fought a guerrilla war from that country. "Most of our arms and money we have to raise ourselves, from communities in places like Belgium." She has been a soldier since 1986, and is proud of it. "Yes, I've used a gun. And sometimes I wear my medals."

Although herself a Tutsi, she denies that the RPF Government is controlled by the minority tribe, pointing to several Hutus in prominent

positions, including the President and Prime Minister. "I admit the ethnic gulf is now wider, after the war. But I think there has to be a peaceful solution. If we have good leaders, and work in the interests of the people, then we can do it. It's up to us."

It will be a bitter pill to swallow, but the RPF is facing up to the prospect of many perpetrators of genocide coming back into Rwanda as free citizens. "We know an international tribunal will be set up for these people," she said. "But we're not standing on the border stopping them coming back. In fact we're begging the Hutus to return."

At 34, Major Kabuye expects to run her full five-year term of office, undaunted by the threat of a Hutu reprisal. "Am I worried?" She laughed. "It won't happen again."



Sign of the Philadelphia Daily News portrays Yitzhak Rabin and Yasser Arafat trying to keep the peace process alive in the teeth of impatient opponents

## Militants kill eight police in Egypt

FROM REUTERS IN ASSIUT

SUSPECTED Muslim militants disguised as police shot dead eight policemen and wounded at least two others in four attacks in Egypt yesterday.

Three civilians were also killed and four injured in the attacks, which took place within an hour of each other near the Nile valley town of Mallawi, 160 miles south of Cairo. In all the attacks, gunmen stopped buses on the main road out of Mallawi to search for policemen on their way to work. In one attack, the gunmen ordered passengers off a public bus and shot dead five policemen by the roadside. Two civilians — a newspaper seller and a security guard — were killed by stray bullets.

The gunmen, in separate attacks, boarded three minibuses and killed three policemen after examining the identity papers of passengers.

Some of the policemen were hauled off the buses and killed outside while others were shot on board. A teacher on one of the buses was also killed and four other civilians were injured. The dead officers included conscripts, guards and mem-

bers of the secret police. The gunmen took their weapons and escaped.

The attacks took place in the villages of al-Roda, Ezbet al-Tabat, Sangery and Umm Kommos near Mallawi, which became a focus of clashes between police and militants at the end of last year.

Yesterday's death toll was one of the highest in a single day since Egypt's Muslim militants, bent on setting up an Islamic state, began their campaign of violence against foreign tourists and the

forces of the moderate secular government of President Mubarak.

The attacks brought to nine the number of policemen killed by militants in the first two days of 1995 and to 670 those killed in political violence since 1992. Security officials in Mallawi suspect that the gunmen are members of Egypt's largest militant organisation, Gamaa al-Islamiya (Islamic Group), which has been targeting policemen in southern Egypt for two years.

In a similar attack on Sunday, suspected militants shot dead a policeman, travelling on a bus near Mallawi, in front of passengers. Ismail Zaki Gomaa, 51, was killed in the town of Abu Qorqas. None of the other passengers was hurt.

Cairo: Egyptian security forces have arrested 28 members of Gamaa al-Islamiya for demonstrating in support of one of their leaders. Adel Hussein, detained on charges of spreading militant Islamic ideas, fifteen leading members were arrested in Kafr al-Dawar, an industrial city in the Nile delta, and 13 in a Cairo suburb. (AFP)



Mogadishu clans step up battle for port

## Ousted Somali leader Barre dies in exile

By OUR FOREIGN STAFF

MOHAMED SIAD BARRE, Somalia's ousted President, died in exile in Nigeria yesterday as the clan strife wracking the country raged on unabated, hampering the withdrawal of battered United Nations forces.

Diriye Barre, one of the former President's sons, said he had "died a natural death" and was to be buried in his hometown of Garbahaarrey in southwest Somalia. General Barre, officially said to be 75 but thought to be ten years older, is survived by two wives and 19 children.

In Mogadishu, rival factions battled yesterday with artillery, rocket-propelled grenades and machineguns in a third day of fighting that has

left at least 11 dead and 217 injured, hospital sources said in the Somali capital. The clashes between the Mursade and Agbal sub-clans of the larger Hawiye community erupted in the devastated city's southern Bermoda district. It was the latest bout of conflict to follow President Barre's ousting in January 1991.

Residents in the Bermoda district said the clash of recoilless cannon, heavy machineguns and the boom of mortars reverberated through the city as the militiamen batted to win access to the port before the UN troops withdrew. Fleeing civilians were caught in the crossfire.

Six people were killed in the fighting that began shortly after dawn. Five others died at the weekend, and the number



Barre died a "natural death" in Nigeria

of wounded rose to 217 on Monday from 103 on Saturday and Sunday, Somali doctors and UN sources in Mogadishu said. The condition of a Bangladeshi peacekeeper, hit by a stray bullet at the port,

was described as stable. A stray shell damaged a roof at the airport on Sunday but did not delay the departure of the first group of 259 Malaysian peacekeepers. There are about 9,000 UN troops remaining in the country following the withdrawal of Indian and Zimbabwean forces.

UN troops are expected to abandon their fortified headquarters in Mogadishu this month and pull back to the port and airport, the staging posts for their departures.

The UN Security Council ordered all peacekeepers to leave by the end of March because of the failure of Somalia's warlords to agree on peace terms and formation of a new government.



# War lures Yeltsin's clique of cronies out from shadows

FROM RICHARD BEESTON IN MOSCOW

MORE than three weeks after President Yeltsin ordered his troops into Chechnya, there is growing concern that the course of the bloody conflict is being determined by a clique of powerful Kremlin advisers.

Ever since the first of an estimated 40,000 Russian soldiers went into the breakaway republic, there has been confusion over exactly who ordered the operation and who is in day-to-day control.

On the surface, Moscow's attempt to reimpose authority on Chechnya is being handled by the country's so-called "power ministers", the heads of the defence and security agencies. General Pavel Grachev, the Defence Minister, is personally overseeing military operations in the Caucasus republic, with the help of Viktor Yerin, the Interior Minister, and Sergei Stepashin, the counter-intelligence chief, who both have forces on the ground.

However, there are suspicions that, behind the scenes, an influential team of presidential advisers have emerged as the real decision-makers in the Kremlin. The most enigmatic figure is General Aleksandr Kozhakov, President Yeltsin's personal bodyguard for the past decade, who heads

the Kremlin's security service. A former KGB officer, General Kozhakov has become more than a bodyguard. By President Yeltsin's own admission, he is the Russian leader's most trusted confidant, his favourite tennis partner, and never leaves his side.

Over the past few weeks, however, General Kozhakov has moved out of the shadows and flexed his muscles in public. First, he sent a paramilitary team to intimidate a potential political rival of the President. More recently, he wrote a letter to Viktor Chernomyrdin, the Prime Minister, criticising him over the Government's plans to lift oil quotas.

Although the general recently denied that he is the real force behind the Kremlin walls, the suspicion remains that he had a decisive role in the ill-fated decision to use force in Chechnya.

The other key Kremlin figure is Oleg Lobov, a friend of President Yeltsin for 30 years who worked with the Russian leader when he headed the Communist Party in the Urals town of Sverdlovsk, since renamed Yekaterinburg. Mr Lobov, who has made no secret of his tough stand on Chechnya, is the secretary of

the powerful Presidential Security Council, which approved the use of force.

What is concerning Russians is not so much that their leader relies on old friends for advice, but that President Yeltsin has withdrawn from view behind the walls of the Kremlin where a select group of people unaccountable to the public is deciding his policy.

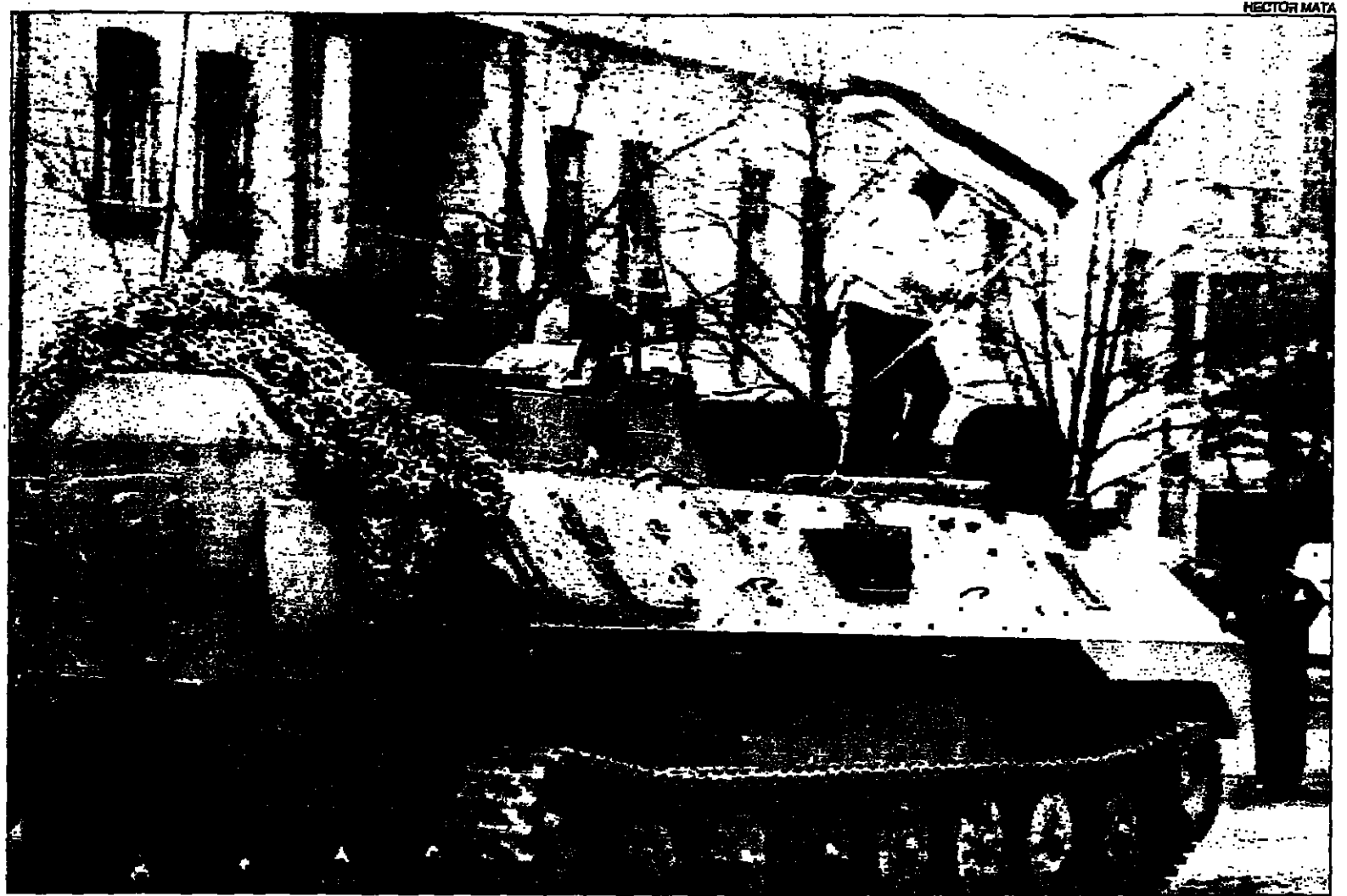
"The country is being run by Yeltsin's cronies," said one former security officer, who shares the fears of many Russians that the Chechen crisis could lead to the return of authoritarian rule.

The war, which latest opinion polls indicate is opposed by two out of three Russians, may have destroyed Mr Yeltsin's chances of being re-elected. Once regarded as a populist figure, who shunned the trappings and privileges of power and courted the public, the President today rarely appears outside his cloistered environment. Only 13 per cent of Russians recently polled said that they trusted him.

Vitali Tretyakov, the editor of the daily *Nezavisimaya Gazeta* newspaper, said: "Moscow's political elite is expecting a coup, and it would be a surprise if this does not take place."

German newspaper *Frankfurter Allgemeine* added its voice to those of Britain and America in attacking Kremlin abuse of human rights in handling the Chechen crisis. Klaus Kinkel, the Foreign Minister, said: "We are saying to Russia that rights must be respected and everything must be done to avoid civilian casualties."

In Paris, the new French presidency of the European Union said that the Organisation for Security and Co-operation in Europe may be called on to intervene in Chechnya, adding that negotiation was urgently needed.



A Grozny defender brandishes the Chechen flag on top of a captured Russian armoured vehicle yesterday as Moscow's forces beat a retreat

## Chechen rebels pierce armoured advance

FROM BILL GASPERINI IN GROZNY

CHECHEN fighters in Grozny are declaring at least a temporary victory in their war against the Russian forces that are trying to crush their bid for independence from Moscow.

The scene in central Freedom Square was eerily quiet yesterday after three rounds of intense fighting between Russian heavy armour and the lightly armed but highly motivated defenders. Groups of fighters gathered in front of the presidential palace, the main target of the huge Russian ground assault that began on New Year's Eve.

Some waved the green and red-striped Chechen flag from sand-bagged windows of the palace. Others raised their Kalashnikov rifles and shouted their rallying cry, *Allahu Akbar*, meaning God is greatest. "They will never defeat us," said a burly and bearded fighter wearing green camouflage fatigues and a black

ski cap. Everywhere the remains of battle were evident. There were blackened hulks of Russian tanks and other armoured vehicles. Bodies of Russian soldiers lay on the ground where they had fallen; others were incinerated in the bombed-out armoured vehicles.

Debris littered the streets, much of it masonry from buildings damaged or destroyed by aerial bombing raids as well as the heavy firepower the Russians deployed over the weekend as they blasted their way in.

In the distance, sounds of shooting could be heard, coming from outlying districts amid reports of house-to-house fighting. The Russians again emphasised their superiority in the air by carrying out fresh bombing raids.

It still is not clear if the current lull in the centre of the capital represents a tactical retreat by the Russians to regroup and prepare for another attack. There are unconfirmed reports

that new paratroopers have arrived to bolster the Russian infantry force in the event of a new armoured assault on the city centre.

Given the huge display of military force so far, it seems likely that the Russians will press on with the attack, whatever the consequences. However, they are now aware of the high price to be paid at the hands of the Chechen fighters, despite the imbalance in terms of overall firepower.

The Chechen fighters work in small groups and are highly mobile. Their hand-held grenade launchers and anti-tank weapons have been put to good use against Russian armour. They also have an advantage of fighting on their home turf, coupled with an unyielding belief that their bid for independence is a just cause.

The war also claimed a new casualty among journalists covering the fighting. Vladimir Chitlenko of *Krasnaya*

*Zvezda*, the Russian military daily, died at the weekend after being shot during street battles.

In the midst of the war, Grozny's remaining residents are trying to make do as best as they can, despite an almost total lack of basic services. There have been virtually no water or electricity supplies in most of the city for almost two weeks. Residents can often be seen carrying buckets during lulls in the fighting to fetch water from a broken main.

Buildings near the city's central avenue were heavily damaged in bombing raids just before Christmas, and the rubble is still strewn all about. Power and tramlines dangle from their poles, while several trees were felled during the bombing raids.

And still hanging over the whole city is the huge cloud of dense oil smoke from fires at several storage tanks and a refinery.



General Aleksandr Kozhakov, left, keeping a watchful eye on President Yeltsin in Tokyo

## Sarajevo ceasefire disrupted by rocket

FROM JOEL BRAND IN SARAJEVO

SERB forces launched a shoulder-fired rocket into the Sarajevo Holiday Inn yesterday, a rare disruption of a ten-day-old ceasefire.

Fighting along Bosnia's 1,200-mile front line has virtually stopped since the ceasefire took hold on December 23. A cessation-of-hostilities agreement, designed to strengthen the ceasefire and allow the two armies to stand down, took effect at noon on New Year's Day. The agreement between the Muslim-led Bosnian Government and the Bosnian Serbs was also signed yesterday by the Bosnian Croats.

Sarajevo has been an exception to the unusual calm that has descended on Bosnia since the peacekeeping mission of Jimmy Carter, the former American President. The city's tram service may resume in the next few days—a sign that once again a modicum of normality is returning.

Yesterday's rocket, which crashed into a third-floor room on the uninhabited side of the building, appeared to have been more political than military. "Somebody is sending a message," a United Nations official said. The hotel is patronised almost exclusively by journalists.

While the ceasefire and cessation-of-hostilities accord appear likely to keep the guns relatively silent for the next weeks and possibly months, other tests of good will on both sides remain.

One will be the positioning of peacekeepers between the two sides, a sticky issue that is likely to prove considerably more difficult than realising the ceasefire.

A UN civilian spokesman said that it would be at least a month before any "blue helmet" troops took up positions between the two armies.

Other UN officials believe such a deployment may never happen because the Bosnian Government fears the Serbs would try to use it to strengthen their grip on the 70 per cent of the country they control.

The most critical test is freedom of movement for the UN. More co-operative over convoys, UN forces are still far short of having absolute freedom of movement to deliver their supplies or to provide humanitarian aid.

## Little comfort for Clinton as he heads for home

FROM IAN BRODIE IN WASHINGTON

PRESIDENT Clinton proved yesterday that he can go home again. With his wife Hillary, he left Washington for three days in Arkansas, the source of many of his troubles.

While much of his schedule was described only as private time to be spent with old friends, it did include a reception last night at the Excelsior Hotel in Little Rock, the state capital. This was the scene of the President's alleged encounter with Paula Jones, who is suing him for sexual harassment in one of the hotel rooms.

While Mrs Jones now lives in California, there are others still in Arkansas whom Mr and Mrs Clinton may be embarrassed to meet. They include James McDougal, their former partner in the Whitewater land development who was also owner of the failed Madison Savings and Loans institution.

A special prosecutor and a team of lawyers are engaged in trying to unearth any wrongdoing. Among Mr McDougal's dealings and funds that may have been diverted into Mr Clinton's campaign chest when he was running for the governorship of Arkansas.

A second special prosecutor is looking into the affairs of another man Mr Clinton used to see frequently in Arkansas. Don Tyson, head of the world's biggest poultry firm. This investigation was instigated after Mr Tyson allegedly offered sports tickets and

other favours to the man in charge of regulating the poultry industry, the Secretary of Agriculture, Michael Espy, who has since resigned.

Mr Tyson's contributions to Mr Clinton were instrumental in helping him repeatedly win re-election as Governor and in backing his presidential campaign. The investigation was expanded after a Tyson pilot said he was the bagman for cash deliveries from Mr Tyson to Mr Clinton, a claim both men deny.

Other Arkansas have reason to regret being gathered up by Mr Clinton and taken to Washington on a wave of optimism two years ago. Joycelyn Elders was forced to resign as his Surgeon-General last month after suggesting schoolchildren might be taught about masturbation, her latest in a series of highly controversial remarks.

Three men are back in Arkansas after bruising experiences in Washington. They are Webster Hubbell, the President's golfing chum and Associate Attorney-General who recently pleaded guilty to fraud.

William Kennedy also ran into problems over non-payment of his nanny tax and is now back home in Arkansas. David Watkins, who lost his White House job after taking the presidential helicopter for a golf outing, is also now back on home turf.

Most tragic of all was Vincent Foster, the former law

firm colleague of Mrs Clinton. He committed suicide.

These misfortunes have caused distress in Arkansas, where many knew the "victims" of the Clinton presidency personally. Yet there is still pride that the state rose above its hill-billy reputation to send a native son to the White House.

It will be on display tomorrow when Mr Clinton will dedicate the new William Jefferson Clinton Elementary School for gifted students in Sherwood, Arkansas.

Mr Clinton's microphone went dead on his arrival in Little Rock, forcing him to cut short his remarks to a well-meaning crowd of supporters.

The President said he would have plenty of time to unwind, see old friends and drive around Arkansas during the trip home.

"I'm even going to have a few hours tomorrow where I'll have nothing on the schedule for the first time in years and years," he said.

The Clintons were staying at the Little Rock home of Mrs Clinton's mother, Dorothy Rodham.

Earlier the couple had seen in the new year with a brief stay at the Renaissance Weekend gathering in South Carolina where Mr Clinton arrived late for a seminar entitled: "What I'll do differently in 1995."

He listened, laughed occasionally, but offered no revelations of his own.



Scalfaro: awaiting answer to appeal

## Italy braced for a battle of nerves

FROM JOHN PHILLIPS IN ROME

THE war of nerves between President Scalfaro and the caretaker Italian Prime Minister, Silvio Berlusconi, will escalate today when the head of state restarts talks on forming a new, broad-based government.

Signor Berlusconi was brooding yesterday over the appeal by the President to back down from his call for a general election in March.

The closest ally of Signor Berlusconi, the neo-Fascist leader, Gianfranco Fini, said yesterday that the President's proposal to defer an eventual election until the electoral rules are reformed by an interim administration would betray the electors who voted in the media mogul's coalition.

## Britain planned Indonesia attack

BY MICHAEL DYNES, WHITEHALL CORRESPONDENT

BRITAIN and Australia planned extensive bombing raids over Indonesia in 1964 if Jakarta had stepped up its confrontation with the new Malaysian Federation, secret documents have revealed.

The joint action was designed to knock out Indonesia's fledgling air and naval strength in the event of a surprise attack on Malaysia, the Cabinet documents released in London and Sydney under the 30-year rule show.

The plan even envisaged that British and Australian military action could result in the disintegration of the Indonesian republic, reminiscent of Britain's nineteenth-century gunboat diplomacy.

At the time the Malaysian Federation, which was made up of an assortment of British colonial territories, including Singapore, was the victim of a series of raids by Jakarta on Sarawak on the island of Borneo, which was shared by Malaysia and Indonesia.

The aerial bombardment, codenamed *Addington*, would have been executed the moment Indonesia launched raids on Malaysian airfields, cities or military targets, with its newly acquired Soviet jet fighters and bombers.

The documents show Britain and Australia were anxious that the bombardment could have provoked Indonesia into retaliation against Australia, with air raids, sabotage, and commando incursions targeted against Darwin. The plan to destroy

Indonesia's air and naval capabilities was one of several contingency plans designed to escalate gradually military action against Indonesia in response to any attack by President Sukarno.

Britain would have borne the brunt of the action by deploying its air force from land bases in Malaysia, Australia, and from aircraft carriers in the Indian Ocean and South China Sea. Darwin was envisaged for use by Australian or British aircraft to strike at more remote Indonesian airfields.

Australia agreed to contribute eight Canberra bombers and 28 Sabre fighters. New Zealand would have contributed six Canberras.

One Cabinet defence committee policy paper said: "In the event of [British and Australian] aircraft in Malaysia being used in an offensive role, and of Darwin being used to mount air strikes against Indonesia, there will be the possibility of air attacks against Darwin port or airfield."

The papers also gave a warning of the possibility of a limited war against President Sukarno leading to the fragmentation of Indonesia into separate states. "An early detailed examination should be made therefore of the likely effects of the implementation [of the plan] on Australia's future relations with Indonesia as... it is highly desirable that the Republic of Indonesia remain a viable entity."

## Subway bomb plot 'was stuff of fiction'

FROM JAMES BONE IN NEW YORK

THE MAN accused of being the "mad bomber" who blew up a New York subway train was an unpublished writer whose doodlings were outlines for science-fiction novels, not plans for a bloody extortion plot.

A lawyer for Edward Leary, who is in hospital with burns after being charged with fire-bombing the Manhattan subway train last month, said police misrepresented evidence seized at the suspect's home.

Unidentified police sources had told local newspapers that seized notes detailed plans for a "terror box" to be planted in a subway station and detonated by three hidden video cameras. The notes were said to be covered with doodles of frowning faces and bullet-riddled bodies. Some were reportedly signed: "Terror Mad Bomber."

But Stephen Murphy, Mr Leary's lawyer, said the notes were simply outlines for two novels drafted years ago by the unemployed computer systems analyst and he accused the police of leaking inaccurate information. "They're taking outlines to two novels that are so preposterous that nobody in their right minds could possibly think they're close to reality," he said.

"One is a high-tech suspense thriller involving a 'box' that's left in Grand Central [station] that's the size of a room, has all these cameras inside it and is supposed to be there so the Government would give housing to the homeless people," he said. "The idea is that it never goes off."

Mr Leary, 49, was arrested when a firebomb exploded on a train at Fulton Street station on December 21, injuring 48 people.

After finding the notes at Mr Leary's home in New Jersey, investigators said they believed he planned to extort money from the subway authority with a bombing campaign but that the bomb exploded prematurely as he tried to set the timer.

Mr Leary, who has third-degree burns over 40 per cent of his body, has been charged with 45 counts of attempted murder. He denies responsibility for the attack.

## Mayor Barry, Washington's prodigal son, pledges fresh start

BY IAN BRODIE

WASHINGTON'S prodigal son, Marion Barry, was sworn in as the city's Mayor yesterday almost five years after he was forced out of office by an FBI "sting" that caught him on videotape smoking crack.

Trumpeting his theme of redemption and recovery from drug addiction, Mr Barry promised, during two days of inaugural events, that his second term would be different.

"God helped me get out of the valley," he told one congregation, "and I'm going to use the same prayers, the same vision to help the city overcome."

It will not be easy. A city with a black majority, America's capital is in far worse shape than when Mr Barry first became Mayor in 1979. The

deficit is more than \$500 million (£322 million). Prisons and foster care are so badly run that the courts have taken over their administration and are attempting to win control of public housing.

Washington has America's third-highest murder rate, although the 1994 total of 414 was a drop of 11 per cent. Population is falling at the rate of 150 a week, as middle-class whites and blacks escape to the suburbs.

Mr Barry bears much of the blame for Washington's decline. During his 12 years as Mayor, the city payroll swelled from 39,000 to 48,000 for a population of 590,000. Several associates were tried for corruption. His womanising, drug-taking and drinking were an open secret. Mr Barry served six months in prison for possessing cocaine. Yet legions of

black voters remained loyal. His insistence that he now knows what it is like to be a victim resonates in black districts wracked by crime and drugs, where most poor families have suffered brushes with the law. He has promised to resign if his drug problems ever resurface. He has tended to blame white racism for the city's ills and after his primary victory his message to whites was: "Get over it."

Detractors say he will be unable to live up to his promises. Under the constitution, Congress retains final authority over Washington and the incoming Republican majority has a jaundiced view of the Mayor. Newt Gingrich, the new House Speaker, said that Mr Barry's victory was "a tragic moment for this country." Mr Barry pleaded with his critics yesterday to stop their carping and to

believe in his renewed mission. He said: "Give me a chance to be successful, and with your help I will be."

In another swearing-in ceremony, George Pataki, who until a year ago was an obscure Republican state legislator, became Governor of New York state while Mario Cuomo, the defeated Democrat, looked on glumly. Mr Pataki thanked his predecessor for his three terms of "devoted service," but outlined a programme of spending and tax cuts, plus restoration of the death penalty, that ran counter to all Mr Cuomo's policies.

Mr Pataki will not have things all his own way, however, because liberal Democrats still control the lower house of the state assembly and have promised to block measures they consider too radical.



Barry: "God helped me out of the valley"



What should a GP prescribe when the specialists disagree?

# 'So stiff I couldn't get my coat on'

Dr Kieran Sweeney on a rheumatic disease that is difficult to diagnose but for which a simple treatment can bring tremendous benefits in a matter of days

My octogenarian patient was clearly very proud to show me her dancing certificate. She had good reason to be, as barely six months earlier she had been unable to put on her raincoat without help. Indeed, it was when I was watching her struggle to get her coat on that I began to suspect the cause of her problems.

Looking back now, I was pretty slow to piece together her non-specific symptoms. At first she had said she felt generally tired and unwell; then she noticed that she was more stiff than normal in the mornings. But it's just old age, doctor, she said, and I was too quick to agree.

It was not until her third consultation that the trend in her symptoms became more obvious. "I'm just not right, it takes me half an hour to get dressed, and I'm right off my food." She was dreadfully stiff, and when questioned admitted that the only way she could get out of bed was to roll over and hope she did not fall.

She took two or three attempts to get herself out of the chair in my consulting room, indicating that her pelvic girdle muscles were stiff and weak. Her upper arm muscles were tender, but passive movements of her joints were quite easy: she did not have swollen or arthritic joints. The only classic symptom she did not have was night sweating.

Polymyalgia rheumatica — PMR — is a tricky disease. For a start, no one is quite sure how common it is. Few studies have been done from general practice, so the estimates of its prevalence, provided by hospital specialists, are based on populations which may be unrepresentative. Estimates vary tenfold, between 0.1 per cent and 1 per cent, and some specialists, such as the Oxford rheumatologist Dr Alistair Mowat, think it is over-diagnosed.

The trouble is that there is no definitive test which confirms the diagnosis. The ESR, a test which can be carried out in the surgery within an hour, and measures the rate at which red blood cells settle to form a "sediment" in an upright sample, is usually

## KEY SYMPTOMS

**Polymyalgia rheumatica**

- Severe muscle stiffness
- Muscle tenderness
- Loss of appetite
- Night sweats
- Fatigue
- Depression
- Raised ESR

**Giant cell arteritis**

- Severe headache
- Double vision
- Scalp tenderness

raised — but it can be in many other serious conditions, such as bacterial infections, rheumatoid arthritis or myeloma, a malignant condition of the bone marrow. The diagnosis is ultimately one of exclusion: you have to test for these other conditions, which can mimic PMR, as well as testing for muscle inflammation, thyroid function, and doing a chest X-ray to make sure lung cancer, which occasionally has these symptoms, is excluded.

Steroids are the mainstay of treatment, but experts disagree as to how they influence the disease. Initially, "Many patients describe the response to steroids as a miracle," asserts Dr Jacqueline Curry, consultant rheumatologist at Hereford County Hospital. Failure to achieve such a response, she argues, may even mean that the diagnosis is incorrect. "It is a myth," counters Dr Mowat, writing in *Medicine International* recently, "that prompt or dramatic response to corticosteroid treatment confirms the diagnosis." He points out that many other serious conditions will respond to steroids in much the same way.

That is what makes the diagnosis of PMR difficult. You can have a patient who is generally unwell and pretty stiff, with a raised ESR and a rapid response to treatment, and still be worried that there may be another underlying complaint which the steroids might mask.

Most doctors agree, however, that prednisolone, a steroid, in doses of 15-30mg a day will successfully control symptoms of PMR. Higher doses

are needed for the related, but potentially more serious condition of giant cell arteritis (GCA).

Although the exact pathological basis of PMR is not known — muscle biopsies, for example, will not show changes specific to this condition — it probably shares with GCA a common basis in a *disordered immune reaction*. The two diseases co-exist in up to 50 per cent of patients, so much so that some specialists regard them as two forms of the same disease.

In GCA, however, a biopsy of the temporal artery will usually (but not always) show histological changes of tissue inflammation. It is this inflammation which causes the classic symptom of GCA, a severe headache, or more worryingly double vision or scalp tenderness, to such an extent that some patients find it too painful to wear their spectacles. The great worry in GCA is that the patient might lose the sight in an eye in which the artery feeding the retina becomes inflamed and blocked.

It is for this reason that much higher doses of steroids are used, commonly 40-60mg of prednisolone, when these symptoms appear either on their own, or particularly in someone with PMR. Some ophthalmologists might even advise double that. But steroids themselves might cause greater problems, as a recent editorial in the *British Medical Journal* cautioned. Doctors, it argued, use such high doses because they are afraid that a patient might go blind. A biopsy of the artery which is easily felt in the temple can be taken, but this does not always show positive when the disease is present.

Almost all doctors, faced with a patient with a raised ESR, severe headache yet normal biopsy would prescribe high-dose steroids, despite the problems associated with them. It is this kind of uncertainty that caused the *BMJ* editorial to describe management of GCA as "a combination of mystery and mystique". While urging that GCA is overtreated, it also asserted that it is underdiagnosed, an



A polymyalgia patient with a bad headache needs an urgent referral to an eye specialist

interesting counterpoint to Dr Mowat's remark about polymyalgia.

Many patients correctly diagnosed as suffering from PMR will respond quite dramatically to steroid treatment: indeed, failure to improve within two or three days would probably make most doctors doubt their diagnosis.

The aim of treatment in the long term is to help to control the patients' symptoms using the smallest effective dose of steroids. Side-effects, if high doses are maintained, may include weight gain, puffiness of the face, high blood pressure, osteoporosis, muscle weakness, and occasionally diabetes.

Initial high doses will quickly be lowered in polymyalgia, as long as the patient's symptoms continue to settle. Once the dose is around 10mg of prednisolone, the decrements are made more slowly. It usually takes about six months to get down to a relatively safe level of 7 mg of prednisolone in polymyalgia, and slightly longer in giant cell arteritis — about a year.

When can treatment with steroids be stopped? Clearly people do not want to be risking steroid side-effects unnecessarily, but some patients' symptoms will unexpectedly recur, sometimes quite severely. Unfortunately, one cannot predict which group of patients is more likely to suffer a recurrence, so doctors tend to be cautious about withdrawing treatment, certainly

before 18 months. Most contemporary European studies suggest that about half of patients with either PMR or GCA are able to stop treatment after two years, but a significant proportion will still be on a very low dose, say 2 or 3 mg prednisolone, after four years.

Most specialists agree that continuing this very low level of treatment does not pose undue risks of side-effects. But there are some

sometimes problems helping patients who just cannot tolerate reducing their steroid dose because the disease flares up, but who begin to develop steroid side-effects. These patients may be helped by taking azathioprine, a drug which suppresses the body's immune system, and allows the disease to be controlled by smaller doses of steroids. Fortunately, this complication is rare.

Who should care for patients with these debilitating diseases: specialists or general practitioners? In articles written by rheumatology specialists the line is "we usually like to see them just to make sure everything is OK". When GPs are asked to comment they are usually happy to manage the uncomplicated cases, such as my octogenarian, who who did very well on medication. But everyone agrees that patients suspected of having giant cell arteritis should be referred to an ophthalmologist urgently.

Not everyone with a headache has giant cell arteritis, of

Response to steroids is often described as a miracle

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course, and not everyone who is stiff has polymyalgia. Common conditions occur commonly, and almost everyone over 75 has some arthritis of the neck, back and limbs which could produce all these symptoms. Tiredness, temporary loss of appetite and indeed depression are all very common in older people, and do not necessarily point to PMR.

Treating polymyalgia can be rewarding for the doctor as well as the sufferer. One patient who responded swiftly to steroids and had no other positive tests rushed into my consulting room and gave me a huge hug, she felt so well. Who said general practice was all work and no play?

Dr Sweeney is a GP in Exeter.

## Flu — or just feeling blue?

Seasonal office absences... and foot-and-mouth fears for humans

ON THE Christmas edition of *Desert Island Discs*, David Jason, Del Boy in *Only Fools and Horses*, told listeners that when working in pantomime, he learnt that no Christmas season was complete without a dose of a heavy cold if not flu. Other workers could nurse their symptoms by their firesides, but actors had little chance of avoiding an epidemic.

playing two houses a day ensured their immune system was confronted by every virus in the district. When a player finally succumbed, he or she still had to go on stage to make the children of New-castle or Norwich rock with laughter and scream with delight.

The absentees this morning from offices and factories might be recovering from the same seasonal infections, but they could be staying at home, sparing other people their infections. In some cases, the problem might be deeper.

If it is an older worker who has not returned from the long break, or one who has diabetes, chronic lung or kidney disease or an immune system compromised by disease or steroids, the reason may be that they have had the flu but that their recovery has been delayed. The winter respira-

tory diseases that fit people may shake off comparatively easily need to be treated early with antibiotics.

For every person whose late return has a physical cause, there are likely to be others whose absence is for psychological reasons. Everybody is exhorted to review their lifestyle at this time of the year. The reality is that what-

ever may be resolved, many lives will be no different. The job will be as, but probably no more, demanding than it was before the Christmas-new year break, but the difference will be that those nine days at home may have given an inkling that life could be more bearable away from the rat race. For those who are potentially depressed, the thought of returning to last year's difficulties may be too much. The doctor's problem in these cases of depression is to decide just how much of it is related to the patient's situation and how much to their personality.

Sometimes, doctors are reluctant to recognise that patients whose troubles are making them unhappy may also suffer from clinical depression severe enough to warrant, and to respond to, treatment.



Dr Thomas Stuttard

## Seriously rash reaction

ANY mention of foot-and-mouth disease conjures up, for an older generation, memories of the funeral pyre for slaughtered beasts, the stench of burning flesh and the digging of lined pits for the animal's ashes. Little wonder that there was some alarm in Norfolk recently when the local press reported an outbreak of hand-foot-and-mouth disease affecting hundreds of children and adults.

The alarm is misplaced: the organism, Coxsackie virus A16, which causes hand-foot-and-mouth disease in humans, has nothing to do with the foot-and-mouth disease of cloven-footed animals. The only similarity within the diseases is in their name. Coxsackie viruses are one of the enteroviruses: there are 23 different known types of the Coxsackie virus.

Hand-foot-and-mouth disease is more common in children than adults. As epidemics usually occur in hot summer weather, it is possible that this year's outbreak may be related to the exceptionally warm autumn. The patient

initially suffers from a sore throat and high fever, indistinguishable from flu until blisters, and later grey ulcers, appear on the palate, inside of the mouth, and on the soles of the feet and palms of the hands. The rash can also affect the back of the hands and fingers, particularly the nail folds, and the armpits. In children, the nappy area may be involved.

The Coxsackie virus A16 infects the cells in the intestinal tract and is excreted in the faeces. The spread of infection is not confined to the faecal-oral route, but when the mouth is involved it may also be disseminated by droplet infection and inhalation.

Hand-foot-and-mouth disease is a mild disease in children who usually recover in a few days, but in adults recovery may be delayed for a week, or two. There is no specific treatment, and no vaccine available.

The viruses have a bad reputation for inducing post-viral depression, often with marked somatic symptoms. "I'm so tired, doctor, that I can barely climb the stairs."

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For the first time, it is in the interests of fee-paying parents that the state system of education should be less than acceptable

## The price we all pay for private schools

Once the Labour Party didn't have to worry too much about the public school vote. A fairly consistent 6 per cent or so paid for their children's schooling and it was generally assumed that this was a group that was, in any case, lost to the Labour Party. But now a private education is a matter not of class or tradition or fortune but of aspiration.

Since the abolition of grammar schools or since the education cuts or since crack dealers started appearing at the school gates — the cut-off point of choice is largely a function of political persuasion — we have all become, potentially, the parents of the privately educated and Walworth Road seems to believe that there is a large pool of voters who may both pay school fees and vote Labour.

If Tony Blair is after the middle-class vote, though, then it's not the old Posh Stannards middle-class that he's wooing. Middle-class means something different than it used to. As in America, the term now describes just about anyone in work. And if the notion of the middle-

class has changed, no less has the fee-paying school. These days a fee-paying school does not as a matter of course mean the public school of old, class-bound, confining and anachronistic. It means an "independent" school.

The kind of parents who send their children to the independent schools are not those committed to private education as a tribal right but those who feel that no cost is too high or sacrifice too great to provide their children with the education the State is denying them. If you're having to make a choice between crack-dealing in the playground at break and extra cello on Tuesdays, well, is it really a choice?

But of course, that isn't the real choice, or shouldn't have to be, and this is what Mr Blair should be addressing. David Blunkin was absolutely correct in denying that his suggestions to tax private

education were "punitive": he is right to say that "it is the current system that is punitive". The Labour Party may be in disarray over how to change the education system to make it fairer, but it does have to be changed. It has to be changed to make the idea of choice a reality, not a chimera of the Right.

What is wrong with private education is not that it is bought, but that those who are buying it for their children are putting none of their energies into state education. What's more, the inequality between public and private sectors is self-perpetuating. The worse the state system is, the greater number of people will feel they have to try to find the money for school fees (though it's worth noting that



NIGELLA LAWSON

still only 7 per cent of children attend private school, and that's the highest figure since the 1944 Act) and the more people are having to pay for their children's education, the greater the disincentive to better the lot of other people's children.

It is a disagreeable fact that when people are stumping up for a proper education, they are not that keen to think that others could be getting it for free. Money doesn't simply buy a good education, it buys a better education; and "better" only works as a comparative if there is something to be better than. For the first time it seems to be in the aspirational interests of some that the state system be less than acceptable.

Their children to fee-paying schools is very small, but among that number are the vociferous few who might otherwise be in there shouting, complaining, insisting and doing whatever it takes to make sure their offspring, and their peers, get the education it is the nation's duty to provide. But evidently all these energies go into earning the money to pay school fees.

A boarding school costs about £10,000 a year per child, a private day school around half that figure: whatever, it is one hell of an amount to find out of taxed income. My heart does not bleed for those on the baguette-line, but I can't help thinking paying a bit more tax would be the less painful option.

I know pleading poverty is a universal lament, but compare the lot of the affluent middle class in France to the £40,000-a yearer over here. The French

model is simply richer: in England a high income is soon whittled away by school fees. Surely it would be better for the economy to see that money spread around? The whole school-fees issue must be an inflationary factor, driving up salaries.

It seems almost guaranteed to make everyone feel hard done-by. Those who can't afford to pay school fees consider themselves disenfranchised, as if a state education offers no more than a qualification for entering the voiceless underclass. Those who can be injured by the accusation of affluence when they feel indignantly, anxiously hard-up.

And where's the choice? In deciding how to educate their children, the former are given no option; the latter ruefully feel they have no real alternative.

Of course we all have the right to spend our money as we choose. But we must find a way to respect that right without giving it more weight than the right to an education for those without the money to pay for "choice".

## Model for a woman of substance

Julia Llewellyn Smith meets a novelist who has made a fortune but still has to keep writing

How wonderful it must be to be Barbara Taylor Bradford. To live in a 47th-floor, silk-walled apartment in Manhattan, surrounded by Impressionist masterpieces. To retreat in a chauffeur-driven car at weekends to your Connecticut country pad, where it snows right on time for Christmas and where you have heated a corner of your lake so the swan can swim there all year round.

To have a housekeeper, a butler, walk-in closets packed with designer clothes and a husband whose eyes, after 31 years of marriage, still light up at the sight of you.

To sit in front of your electric typewriter and know that the next book you write will, like the previous nine, be read by millions.

And to know that you came from a Leeds suburb and are now estimated to be the richest British woman after the Queen.

Is it true that she is the best-selling novelist in the world? This is the question I put to Mrs Taylor Bradford as we crunched across the Connecticut snow to Genny Cottage, the exquisitely decorated hut by the swimming pool named after Barbara's much-mourned bichon frisé.

The lady novelist smiles sweetly (she is very pretty and looks ten years younger than her 61). "I think I sell a lot of books," she says firmly. "There are a few of us. I'm up there in the top five. But I never discuss money. I refuse."

I hadn't actually asked about hard figures, but for those who want them Mrs Taylor Bradford signed a three-book deal two years ago with HarperCollins for £20

million, which puts her in a different stratosphere from the likes of Jeffrey Archer.

We enter the cottage, where Mrs Taylor Bradford turns the thermostat up to sub-tropical levels and places herself on a silk-upholstered chair. "But I'm published in 85 countries," she continues. "I just got some Russian copies the other day — that eastern market is very interesting — and in Turkish and Yiddish and Serbo-Croatian."

She is nothing if not practical, a fact she attributes to her North Country upbringing. "There are those two sides: on the one, the very down-to-earth Yorkshirewoman, and then there's that other side of me that's very poetic."

Both sides come across clearly in her most famous works: the

*Woman of Substance* trilogy, starring the unforgettable Emma Harte, the Yorkshire servant lass who rises to command a multi-million-pound dynasty.

It is impossible not to spot the parallels between Emma Harte and her creator, and

while Mrs Taylor Bradford used to deny them (reminding us of her middle-class upbringing), she has finally come to terms with the fact that, in spirit at least, she is Emma. "I gave her a lot of my characteristics," she confides.

"I'm very hard-working, and I have a lot of physical stamina and energy. I'm driven and ambitious." Would Emma read her books? "I think she'd be too busy," says Mrs Taylor Bradford after a pause.

Not everybody writes about women who went out and conquered the world. But this was, after all, Mrs Taylor Bradford's own story. "At 15, I was in the typing pool of the *Yorkshire Evening Post*, by 18 I was the woman's page editor. At 20 I was a reporter on the *London Evening News*."

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She is only telling the truth. Despite the untold wealth, it is clear that demons drive Mrs Taylor Bradford. "People say you are very successful, you don't have to earn a living, but what would I do if I didn't write? Writing for me is a

great means of self-expression, satisfaction and self-gratification. If I didn't have a way of dealing with all that stuff that's going round in my head, they'd take me away in a straitjacket. Bob would tell you I'm most happiest — that's a terrible sentence — I'm happiest when I'm sitting at my typewriter."

Today Mrs Taylor Bradford is discreetly made up and beautifully dressed in a smart green tweed trouser suit. But she is at pains to convince me that I would normally find her barefaced and in a track suit. "I'm usually up about five and have a five o'clock finish when Bob comes home. We go locally for dinner, or have dinner at home. I have a cook in the city. Then we often watch television in separate rooms."

This is the only form of relaxation she gets. Throughout our conversation Mrs Taylor Bradford regularly raps the polished table with her ring-cluttered knuckles. "It's that fear that you can't do it again," she explains.

And whatever you may think of her style ("the sea was... the colour of chalcidony" is my favourite sentence), Mrs Taylor Bradford works hard to develop it. Her latest novel, *Everything to Gain*, is far starker than the early blockbusters. "I have never really written a book that's the same as the last," she explains, waving her tortoiseshell spectacles in the air. "I think that's plagiarising yourself. I could have written *A Woman of Substance* over and over again. I didn't have to because everyone else did that. She allows herself a rare, smug smirk, then hastily raps the table once more.

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Barbara Taylor Bradford and her husband, Bob, celebrating their wedding anniversary — "we've had a very good time because he's never been threatened by my success"

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# Wake up to the Gingrich revolution

Martin Fletcher on the man who is brushing Clinton aside

In the weeks since the Republicans snatched control of Congress, President Clinton has dispelled any doubt about who now leads America. He has called for lower taxes, higher defence spending and smaller federal government. He has sacked his Arkansas friend Jocelyn Elders, the Surgeon General, for suggesting that schools should teach masturbation. He has signalled support for radical welfare reform and the return of school prayer.

Such a burst of activity would have impressed the great American middle class had Mr Clinton been acting of his own volition. Unfortunately, each of these moves was merely a pathetic attempt to catch up with the Gingrich who stole his Christmas.

Newt Gingrich, who becomes House Speaker tomorrow, is monopolising the media's attention with his newly-acquired bodyguards, frequent attacks on the established order, and handing back of a presidential-size book advance. It is indisputably Mr Gingrich who is now dictating America's political future, condemning the President to irrelevance. "Bill Clinton is the Jell-O. Newt is the mould," said one political analyst.

The morning after the elections, Mr Gingrich tellingly refused to interrupt a radio interview to take a telephone call from the President. He let 90 minutes elapse before deigning to ring back.

The superficial similarities between Mr Clinton and his nemesis down Pennsylvania Avenue have been well documented. Both are baby-boomers who have raised fatherless and have tawdry marital records. Both avoided Vietnam. But there is a fundamental difference that explains Mr Gingrich's ascendancy. Unlike the President, he knows exactly what he wants to achieve and how.

Mr Clinton has always worked within the system. He rose by virtue of his silver tongue and ability to adapt to the public mood. The man Arkansas called "Slick Willie" talked his way right into the Oval Office, but there his shortcomings have been cruelly exposed. The famed consensus-seeker has proved lamentably unwilling to lead in the face of determined opposition.

No one could accuse Mr Gingrich of choosing the path of least resistance. He is a self-styled revolutionary who has finally won a 16-year battle to break the Democrats' grip on Congress. His goal now is to sweep away a failed "liberal welfare state" and build a 21st-century "opportunity society" shorn of big government.

His vision and ruthless adherence to it have been remarkable. He arrived in Washington in 1979 convinced that he had to destroy Congress in order to rebuild it. He had no time for traditional committee work or legislation. He assembled a cadre of like-minded young turks dedicated to exposing the "corruption" of the entrenched Democrat majority.

They nightly harangued the

Democrats before an empty chamber, knowing C-Span was carrying their words into millions of living rooms. They courted controversy, the better to draw attention to their cause. They seized on any hint of scandal, but even Mr Gingrich's allies believed he was going too far when in 1987 he began attacking the ethics of Jim Wright, the formidable House Speaker. Mr Wright said he viewed Mr Gingrich as a dog views a fire hydrant, but within two years he had resigned in disgrace.

The House bank scandal succeeded the House post office scandal, legislative gridlock became the rule, and public esteem for Congress plummeted. In November, a disgusted electorate ended 40 years of unbroken Democratic rule, just as Mr Gingrich had predicted.

His name is still taboo in polite society. The highbrow American media still largely deride this messianic figure, whose professed ambition is to "renew American civilisation". But whether the elite likes it or not, he is about to become the most powerful Speaker of modern times.

Using a web of privately funded organisations collectively dubbed "Newt Inc.", he has for eight years been building a party, assiduously cultivating, training and financing aspiring young Republicans around the country, with the result that the House is now stiff with diehard

**He refused to interrupt an interview to take a call from the President**

"Newtoids". He has packed key committees and leadership posts with loyalists. His control of the House is also dented, it will approve his radical programme when his 100-day legislative blitz begins next week.

The constraints will come more from the Senate than from a President who could well compound his unpopularity if he were to resort to endless vetoes. The Senate is more cautious than the House — its members more independent — and its new Republican leader, Robert Dole, is a relative moderate, whom Mr Gingrich once dismissed as the "tax collector for the welfare state".

Yet there are enough "Newtoids" in the Senate to make trouble for Mr Dole if he obstructs Mr Gingrich's plans. They showed their strength last month by electing Trent Lott, a Gingrich ally, to be deputy leader instead of Alan Simpson, Mr Dole's man. Moreover, Mr Dole cannot offend the party's conservatives, because he wants the 1996 Republican presidential nomination.

It remains Washington's conventional wisdom that America will recoil from Mr Gingrich's extreme prescriptions. It is entirely possible, however, that a confused, frustrated nation will applaud action for action's sake and embrace this rare conviction politician. Mr Gingrich began his career teaching history. He could now, for better or worse, start making it.



## I can see clearly now

New Zealand skies are bluer than ours, not only literally but metaphorically, thanks to the radiance of the people

It is well known that New Zealand is many thousands of miles away from anything on one side, and similarly many thousands of miles from anything else on the other side (of course I don't count Australia); this isolation suggests that the Lord made a strange and deleterious mistake when He was sorting out the continents (see Genesis, Chapters 1 and 2). But we also know that the Lord does not make mistakes: if He put down New Zealand where it is now, He did so for a purpose. And it is that purpose which, a few weeks ago, I decided to seek out.

And that is why I found myself in New Zealand, having been told that when I had pushed my baggage-trolley past the immigration desks and the customs procedures (both manned by people of perfect courtesy) that I would find a man very tall and very bald who was to be my cicerone for something like a month. Tall he was, and bald he was; little did I then know that he was to look after me so carefully, so thoroughly, so generously, so knowledgeably and so amusingly, that no newborn baby could have asked for more in the way of being made happy and enlightened. But little still did I know that my hero — his name is Phil O'Reilly — was to lead me to countless people of all New Zealand walks of life, all parts of their country, all courtesies, all welcomes, all generosity and all — all — for nothing but that New Zealanders are like that.

But I am going too fast. I did not alight on New Zealand unprepared: indeed, there had been for some time messages back and forth (I still believe that the fax, infinitely useful as it is, must be an instrument of the devil, so uncanny is its far-away whirring, and sooner or later we shall all be burnt at the stake). I had been invited, by the Newspaper Publishers Association of New Zealand, no less, to be taken to their country and shown round it. Nor was there any obligation to concentrate on newspaper matters. I was told that the NPA had embarked upon a series of such invitations from the other side of the world, and I was to be the first to enjoy such hospitality.

We drove into town, and I experienced my first New Zealand shock. The sky — it was a warm and unclouded day — was as clear and pure as though it had been scrubbed. I was not then to know, though I soon discovered, that New Zealand does

not have polluted air, and when I say it does not have polluted air, I do not mean that it has air less, or even much less, polluted than that in countries like ours, it means that New Zealand does not have polluted air. End of first shock.

Five minutes later, I had my second shock. On either side of the airport motorway, there was rolling beauty: no debris, no factories, no noise and no billboards, only beautiful, immensely tall, poplars, and smiling fields. I commented that the leaves looked as though they had been washed, and Phil smiled: it was the first of hundreds of such smiles, and each of them denoted another wonderful shock for me.

But again, I am going too fast. The first public encounter with New Zealand was a barrage of newspaper, radio and television interviews. To my astonishment, I found that there is no national newspaper, only local ones. It is, of course, a very long country, but surely, I thought, with today's technology a national paper can hardly be impossible. But then a thought struck me: perhaps New Zealand does not want a national newspaper. I had already discovered that New Zealand is not like other places, and this might be more evidence. If so, it is not for me to demand a national newspaper immediately. I land. (And while I am on the subject, I have to add that their newspapers are rather strikingly different from ours, as witness *The Dominion*, a highly respected daily, which one day led its front page, beneath a banner headline to match, with "British firm wins sewerage contract", which I think one would be unlikely to find in our dear *Sun*.)

The interviewers had done their homework, but then came the new surprise: the interviewers, almost without exception, were amazingly gentle. I wouldn't be so rude as to call it pussy-footing, but there is surely enough in my millions of words to

provoke them to stick into me at least a pin. That unutterable ordeal over, it was time for me to think about what came next.

My splendid jaunt had, naturally, a price: a tiny price, a very tiny price, but a price, for what was in store for me (and what was in store for me, I may say, was a seven-room suite for starters) included my giving a set of lectures. Now anyone who knows Levin knows also that far from his being dismayed when asked to talk, it is almost impossible to stop him talking once he has started. This, I said to myself, is going to be a doddle.

And a doddle it was, though a doddle that changed into one of the most profound and moving experiences of my life, an experience that is with me as I write, an experience that I savoured on the way home (and 25 hours in the air with only one hour's break would normally savour only a longing for death) — an experience that I am still far from encompassing and of which I may never fully take the measure.

Meanwhile, a drive round the suburbs revealed one-storey white clapboard houses, bursting with flowers meticulously and lovingly tended. A strange and horrible thought came unbidden: are there thugs and tearabouts in these parts, like those we know all too well back home, and who smash beauty just because it is beauty? I asked the question: my guide looked at me as though I had gone mad. We chattered on, but I could not stop asking for another peculiar look. "How bad is the drug problem in your country?" I asked, and this time there was a real answer. "There isn't one," he said. (Later, and with others, I asked the same question. I got the same answer.)

So we went to the park, via the sea and its harbours, with gigantic fleets of yachts — this is a sea-faring country, and show it. They told me the names of the trees and

bushes in the park, but I was far too deeply enraptured by beauty such as I have never seen before. I, urban man personified, who once said that the best thing that could befall the countryside would be its covering with an even layer of asphalt — that very man, as he wandered through every kind of greenery and every kind of beauty found that his eyes were wet. What have I got into?

I begin to be genuinely afraid. This is a country that I have heard of (well, Kiri came from it) and dismissed as too distant to bother with, yet it is disturbing my sleep, and the beauty of its unspoiled landscape is matched by the depth of its people, who mean what they say when they embrace a newcomer. I was, again and again, that newcomer, and never on this earth and my wanderings on it, have I found so much truth in such smiles. It strikes me — and it should have struck me much earlier in this panegyric — that the Lord quite certainly did know what He was doing when he put New Zealand where it is.

Then I was taken to New Plymouth, a city of only some 140,000 inhabitants (but, after all, the whole country is not much more than three million), and was guided round New Plymouth by a man who not only knew every stone in his city, but loved every stone. Hills, rivers, sundials, memorials, lakes and hills — I have to say that New Plymouth is a rather ordinary city, if you are only thinking of outside. But its inside is filled with human beings who do not know or care who I am and why I was among them, but treated me and my entourage as they would treat any visitor from anywhere.

And it ran everywhere: my lectures were most warmly received, and considering that one of them had an audience of 600, and another one went on for 50 minutes without a break, I have nominated New Zealand as the most tolerant place in the world. But my nomination was superfluous: long before that, I had realised the truth about this astounding place. Meanwhile, I strolled down to the beach. The beach in question was two miles long, and I had it to myself. And as the water ran up across the sand, I could see that it was absolutely clear and absolutely pure.

(To be concluded.)

## Knowing Blair for what he is

Labour's superficiality is now obvious, says Woodrow Wyatt

Tony Blair has boldly declared "I know what has to be done". He has outlined some parts of his ill-considered plans; others are so obscure, or so frequently changed, that he and his intended Cabinet ministers dispute fiercely with him and each other. His proposals for separate parliaments for Wales and Scotland, to be forced on them without referendums during Labour's first year, are bizarre.

The Scottish parliament is to have powers to raise income tax up to 3p in the pound, which will be additional to general British income tax, and resented by many Scots. If the Scottish parliament wants more, does Mr Blair intend to cap it? If not, why not? To whom would the Secretary of State for Scotland be responsible — the Scottish MPs at Westminster or the Scottish parliament? After Northern Ireland, Scotland now receives the biggest handouts per head from Whitehall. This could not continue, nor could the arrangement by which there are far more Scottish MPs per head of population than in England.

Rarely can Labour form a government without the 50 or so Scottish Labour MPs, and it is impossible that Scottish MPs could be allowed to vote on matters pertaining to England, Wales and Northern Ireland when other MPs would be excluded from voting on Scottish matters.

As Mr Blair's system would be summarily imposed on the Scots, Scotland's transformation into a foreign country would soon be at hand. Presumably the Scots would then be saddled with their share of the national debt, along with many other acute disadvantages. Labour runs scared of the Scottish Nationalists, fearing they could push Labour into second or third place in Westminster elections. This trend would be encouraged by Mr Blair's plan, and would lead to a Scottish Nationalist government in Edinburgh.

To win, Mr Blair depends on a switch by the middle classes. At first, they were drawn to and felt safe with this idealistic public schoolboy, who seemed one of them. Now he has turned into Malice in Blunderland. They were horrified by David Blunkett's intention to charge VAT on school fees. They were not mollified by Blair forcing a retraction from his Shadow Education Secretary, particularly as he insists on removal of charitable status from public schools. The damage has been done. Labour remains the party which loathes excellence in education, preferring a flat, uniform system in which talent is held back. It exorcises assisted places.

The benefits which took many of Labour's present leaders to the top are to be denied to the generality, although Mr Blair defies Labour policy by sending his son to a grant-aided school. At Labour conferences, the platform jingles enthusiastically in singing the "Red Flag". Instead of "Then raise the scarlet standard high", they should sing: "Then raise the double standards high".

Clever and quick though he is with the soundbite, Mr Blair lacks profundity. His superficiality is daily more apparent. Doubtless all institutions could do with a look-at, but wasting Labour's hoped-for first year in office by turning them upside down is Peter Pan folly. This is the treatment to be accorded to the Lords and the monarchy, which, however illogical, have suited us for centuries. Mr Blair's enthusiasm for change runs him into trouble in every direction. Everyone had forgotten the notorious Clause Four, printed on Labour Party membership cards and requiring collectivisation of just about everything. Mr Blair seems about to get a mildly watered-down version of it instead of its extinction. Either way, voters will be conscious that Labour remains stoutly socialist at heart — the very opposite of the impression Blair tries to create.

Alrily, he dismisses John Major's achievements in obtaining the greatest prosperity we have ever known and the lowest inflation in decades as "an accident". But these achievements happened despite Labour's voting against or criticising every measure making them possible.

Blair's high spending would rapidly dent the economy — perhaps not immediately, within his first period in office, but certainly by the end of a second period, such as has been secured by every Prime Minister since the war except Ted Heath. By that time the damage would take years to repair.

Blair's best weapon may be the chant "It's time for a change", but its potency will weaken as it becomes clearer how calamitous Labour's yet unpurged hatred of private enterprise would be. No change is not a threat to democracy. For 20 years, from 1933 to 1952, the United States had Democratic Presidents. The public begins to appreciate the sterling qualities of "Honest John" Major, who, unlike Blair, echoes the public mood towards Brussels. This looks to be the year when Blair blarney will be blown away.

## Bag gents

A DISTURBING trend may be noted among our modern mandarins this morning as they weave back to their desks. The traditional essential requisites — bowler hats, pinstriped trousers, rolled-up briefcase — have long since vanished. Instead, two sartorial styles have evolved as *de rigueur* among male civil servants in Whitehall.

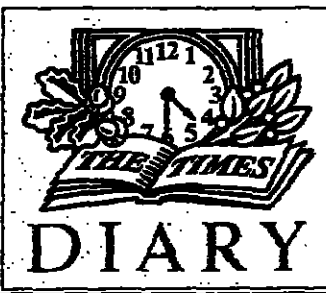
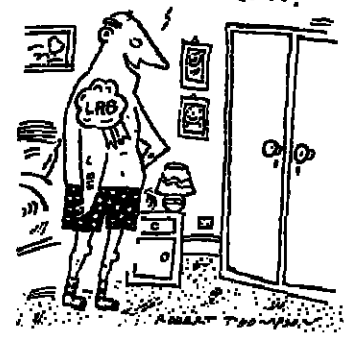
One is the Wall Street corporate-raider image: sharp suits, wide trousers, mobile phone clutched to the ear. But even more worrying among the middle-rankers is the enthusiasm for carrier bags rather than briefcases. "Everyone seems to have one. Carrier bags from supermarkets are favourites," sniffs my Whitehall man disapprovingly. "Sainsbury's, M & S, Safeways..." And they crackle, he complains.

The plastic-bag-carrying element within the public service is almost always clothed in an anorak, often a multicoloured one, in place of an overcoat or mackintosh. One style-watcher not in the least impressed by the anorak brigade is Sir Hardy Amies. "If they do that, maybe they should change their name to un-civil ser-

vants," shudders the Queen's dressmaker. "Civil servants represent authority, position and particularly order. I can see no point in wearing disorderly clothes."

Our new boy at the European Commission, Neil Kinnock, may have to learn a few things about the way Brussels conducts its business. It was arranged recently that he should meet his new staff over a good lunch. "Lunch?" gasped the former Labour leader.

**BACK TO WORK... NOW WHICH EDUCATION POLICY SHALL I WEAR?**



who slumped down considerably after the last election. "I don't usually have lunch." His new chums exchanged startled looks.

### Toning up

FOR THE tercentenary of the death of Henry Purcell, the BBC has settled an ancient dispute. Radio 3 bosses have finally made up their minds about how his name should be pronounced.

For years the prevailing view has been that the emphasis must be on the second syllable: Purcell. But on Sunday, when a year of commemorative events opened with a recording of a concert by the Taverner Consort and Players at Kensington Palace, a live concert from the Banqueting House by the King's Consort and a complete performance of *The Fairy Queen*, announcers put

the stress firmly on the first syllable.

"The name should be pronounced like a certain well-known brand of washing-powder," explains an insider. "There is a strong argument for this. Purcell's good friend Dr John Blow wrote an ode to him on his death in which he set the name to music. The 'Pur' came on the first beat of the bar."

Inmates of Scotland Yard are feeling the effects of Commissioner Paul Condon's new regime. The Tank, the Metropolitan Police HQ's infamous basement bar (complete with bullet holes in the wall), which was once the scene of much late-night revelry, closed down a year ago. Keep-fit enthusiasts Condon reopens it this week — as a gymnasium.

### Arch-angles

CERTAIN well-known men have put forward intriguing nominations as their female fantasy figures. Lord Archer leads the stampede of those foaming at the mouth to swear allegiance to the familiar popular choice. "Sharon Stone — because I'm a normal red-blooded man," he swoons in the latest issue of *Esquire* magazine. Others are less effusive. Brian Sewell, the art critic, declares "real

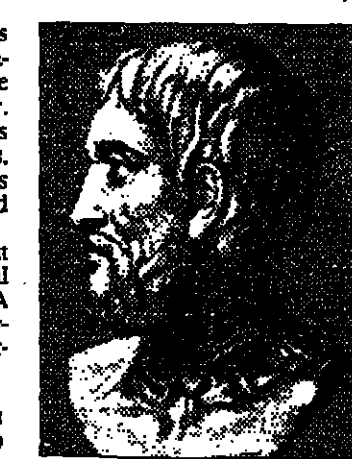


Fantasy figures: popular pin-up Bottomley, Stone (admired by Lord Archer), and Pythagoras (who has a beautiful theorem)

people are hideous", and likens Helena Bonham-Carter to a Cavalier King Charles spaniel and the Princess of Wales to a nutcracker. Tory MP Peter Bottomley drools over Wordsworth's short poems, but refrains from mentioning his delectable wife, Virginia, and clearly dare not name another. "Women I can't speak of. But the other thing is mathematical proofs," he says bemusingly. "A two-line method of proving Pythagoras's theorem is of great attraction to me."



Fantasy figures: popular pin-up Bottomley, Stone (admired by Lord Archer), and Pythagoras (who has a beautiful theorem)



P.H.S





## FROM ATTLEE TO BLAIR

July 1945: Labour wins by a landslide

The official Cabinet photograph of 1945 shows 21 men and one woman, most of them bald or white-haired. This July is the fiftieth anniversary of Clement Attlee's 1945 election victory — the biggest Labour victory ever. Much will be written about that administration's achievements and failings, and parallels will inevitably be drawn with today.

The relative youth and inexperience of Tony Blair's team is but one of the big differences. Attlee's Cabinet ministers were in their fifties and sixties, and had experience of office in Winston Churchill's coalition Government. Ernest Bevin, for instance, general secretary of the Transport and General Workers' Union, had been Churchill's Minister of Labour and National Service. So, although the Labour victory in 1945 was, in some senses, a leap into the dark, the men whom the electorate trusted to guide them had been visible leaders for years. No member of the current Shadow Cabinet, by contrast, has ever served in a real Cabinet.

The personalities of the leaders then and now are very different. Attlee was diffident and uncharismatic. "If he had got up in the Commons and announced the Revolution, it would have sounded like a change in a regional railway timetable." Mr Blair seems a stronger leader, yet his programme, compared with Attlee's, is less revolutionary. His most radical act if he were to win power might be the dismantling of many parts of the universal welfare state which was the crowning glory of the Attlee Government.

In 1945, the voters turned against the Conservatives partly because they still remembered the unemployment of the 1930s. Sir William Beveridge's report in 1942, proposing a system of national insurance against "want, disease, ignorance, squalor and

idleness" captured the public imagination. An opinion survey in 1943 found 86 per cent in favour of Beveridge's proposals and only 6 per cent against. Although the Tories accepted much of the report, Labour was seen as more likely to implement it.

The determination that with peace should come social justice propelled Labour to a 146-seat majority, a postwar record that still holds. The party stuck to its promises. By 1948, Britain had a comprehensive system of family allowances, National Insurance, a National Health Service (the first of its kind in the world), universal education to 15, and legal aid. The cradle-to-grave welfare state had been born, and it is a sign of how much Labour was then in tune with the public mood

that the Conservative manifesto for the 1950 election accepted the welfare state and promised to maintain full employment. There is little sign today of such a flood of new ideas from Labour. But nor is there much of a thirst from voters for a government to use collective action to redress individual social woes. While the Attlee Government of 1945-51 spent valuable time nationalising the coal, iron, steel, gas and electricity industries, Mr Blair is busy removing the commitment to public ownership from his party's constitution.

By 1950-51, the Labour Government had run out of steam. It was casting around for industries to nationalise, rather as today's Tories search for more candidates for privatisation. The historian Peter Clarke has written of those dying days: "Since the Labour Party had now fulfilled its agreed aims, only the aims on which it could not agree remained." His comments seem as pertinent to the Conservatives now as they were to Labour then.

## ON DISPUTED LAND

New settlements pull in one direction, peace pulls in another

Ever since he signed the Declaration of Principles with his erstwhile Palestinian foe, Yitzhak Rabin has had to fight a series of tense domestic battles in defence of the agreement. The latest skirmish for the Israeli Prime Minister is the attempt by settlers at Efrat, a settlement near Bethlehem on the West Bank, to colonise a hill adjacent to the Palestinian village of al-Khader. After an emergency meeting of his Cabinet yesterday, at which heated exchanges are reported to have taken place, Mr Rabin ordered a halt to construction on the Hill of Dates, the disputed site. He was right to do so.

The putative settlers argued that they had a legal right to occupy and build on the land in question: Palestinian villagers, equally, brandished copies of title deeds before the Israeli soldiers with whom they clashed. But the most important question to be raised by the bulldozers' dust was not a legal one: it was, as the Israeli Cabinet was not slow to recognise, a political question of the highest degree. Can — and should — the Israeli Government authorise the building of new settlements in the Occupied Territories after the conclusion with Yasser Arafat of the Declaration of Principles on interim self-government arrangements?

Before Mr Rabin intervened to halt construction, Mr Arafat, Chairman of the PLO, had called the preparations for the settlement a "flagrant violation" of the Declaration of Principles. He was not entirely correct, although not wholly wrong either. In purely textual terms, the accord does not prohibit the establishment of new settlements. It does, however, defer till mid-1996 at the latest the commencement of negotiations on the "permanent status" of a number of emotive issues.

This unfinished business lies at the heart of the dispute between Israel and the Palestinian people, and includes Jerusalem, refugees and borders. It also includes the future of Jewish settlements. Any new settlements in the West Bank and Gaza are, therefore, in breach of the spirit of the Declaration of Principles. The Israeli Attorney-General, Michael Ben-Yair, came closest to the target when he recommended to the Cabinet that emergency powers be invoked to halt the settlement. He argued also that licence to build should be revoked by administrative order on the ground that the Government's "policy had changed" since the original granting of permission. The change in policy to which he adverted stems from the peace agreement with the PLO, which has altered the status of the West Bank in Israeli law.

Mr Rabin did not, of course, address the affair in those terms. In fact, his compromise — which will allow the settlers to establish themselves on a hill more proximate to Efrat, in lieu of the Hill of Dates — does not address the heart of the dispute at all. The PLO can still assert that it was a principle, not merely a hill, which was at issue. But underlying his search for a way in which to defuse the immediate crisis was an awareness that the question of new settlements has the power to drive the PLO from the peace table. His Foreign Minister, Shimon Peres, is due to begin a fresh round of talks today in Cairo with his Palestinian interlocutors: they will now take place in a better spirit than would have prevailed had the Israeli Cabinet not ruled against the settlement. Mr Rabin should now take this opportunity to bring the public debate on the future of settlements into the sharpest focus.

## HAPPY MAY 29

Heigh-ho, heigh-ho, it's back to work for the taxman we go

Ice, snow and the annual mystery bug may discourage Britons from today's struggle back to work. But not half as much as the calculation that they are going to be working for the Revenue for six days longer this year. The Adam Smith Institute, the economic think-tank, estimates that "tax freedom" day will fall on May 29 in 1995. This calculation supposes that average workers spend everything they earn in the first part of the year on paying their taxes. Only then do they start to make money for themselves.

There can be no taxation without misrepresentation, which is why governments prefer indirect taxation. It is easier to misrepresent. Tax freedom day takes into account ill-concealed tax burdens such as VAT, stamp duty, council tax, the television licence, and duties on petrol, alcohol and tobacco. In this way it provides a dramatic diagram of how much of the money earned by the public is confiscated by politicians.

Because of the recession and the revenue-raising Budgets of 1993, in the United Kingdom tax freedom day has been falling later in the year for the past three years. And neither Margaret Thatcher in her prime nor John Major has yet managed to push the day back to the golden year of 1978, when the average earner spent only 138 days working to pay Jim Callaghan's Government's bills.

If public borrowing (which has to be paid for by future taxation) is included in the sum, tax freedom day for the United Kingdom will not come until June 10 this year. If the calculation is made by the day rather than

the year, we shall be working until lunchtime all year for the Chancellor. For the average citizen to work half the year for the Government is absurd. By popular calculation, even civil servants do not work six months a year for the Government.

Of course such sums are tendentious. If all annual earnings were carved like a cake by the economists of the Adam Smith Institute, mortgage freedom day would not come till midsummer, paying off the car day in August, freedom from the hell of commuting with the apple harvest, and no more clothes or perhaps school fees for the children in December. Only then could Britons take home anything they earned for discretionary expenditure — just in time to be blown on the competitive shopping frenzy of Christmas.

The good news is that 16 out of 23 Organisation for Economic Co-operation and Development countries have even later tax freedom days. Scandinavians and Germans work for over six months for their Governments. And in Denmark, rates of tax and the capital punishment of a net wealth tax can produce an income tax of more than 100 per cent for the seriously rich.

Australia, the United States and Japan celebrate their freedom from tax days much earlier than Britain. The demystification of the tax burden is a public humiliation for politicians and a spur to voters. So, roll on May 29. But we must start working towards the right British day for tax freedom — April 1. For 1995 there is nothing for it but to grit the teeth and get back to work, work, work.

## Waste of time and money in courts

From Mr Stanley Best

Sir, No doubt Mr C. B. T. Adams (letter, December 26) is a highly skilled neurosurgeon whose diagnoses are renowned for their accuracy, but when he ventures to attribute blame to barristers and solicitors for delays in court hearings he is wide of the mark.

The delays of which he speaks arise from the court listing system, over which lawyers have no control. As a practising barrister I too (with others) suffer the same vexations, but more frequently I suspect.

There are simply too few judges and it is by no means uncommon for counsel to arrive at court for a hearing fixed by the listing officers only to find that the list is overcrowded and that a round journey of say 200-400 miles is wasted. In such a situation I recently found six days' work listed on the day my three-day fixture was to commence.

Yours faithfully,  
STANLEY BEST,  
Globe Cottage,  
Broadwood Kelly, Winkleigh, Devon.  
December 26.

From Dr R. E. Atkinson

Sir, I must fully concur with Mr Adams. Because of the difficulties of bringing together several specialists on the same day, it is increasingly common on the part of solicitors to issue a subpoena, despite the fact that personal availability dates, given long before, may have changed.

In the six weeks up to Christmas, I was required to be available for six personal injuries cases with pain problems. Two were settled in the few days prior to court, two were settled as five expert witnesses sat around for four hours in the courthouse, one was postponed, and only one resulted in my giving expert evidence. All produced disruption to clinical activity.

A Texan friend who specialises in personal injuries litigation is astounded by our system — all evidence there is given by "deposition" at the doctor's office and at a time which does not disrupt clinical activity. Such a system here might also help Mr Adams's suggestion of a "settlement day" deadline.

Mr Adams also notes that due to our present inefficient legal system, only those who are retired may in future be able to act as expert witnesses. Whilst many do so now, promulgating such a state of affairs could be counterproductive. In my specialty of pain management, and it is no different from any other, developments and research are moving fast, and clinical involvement is probably important to allow the best informed current opinion.

Yours faithfully,  
R. E. ATKINSON  
(Chairman, Special Interest Group, Clinical and Legal Issues in Pain, International Association for the Study of Pain),  
The Pain Clinic,  
Royal Hallamshire Hospital,  
Glossop Road,  
Sheffield, South Yorkshire.  
December 27.

From Mr Simon J. A. Powis

Sir, So frustrated was I by a recent case in which I was an expert witness that I wrote to Lord Mackay in July outlining my experience of delay, intransigence and the implications thereof. It was mid-December before I received a reply and, judging by the content of the letter, four and a half months had been an insufficient length of time for the Lord Chancellor's Department adequately to address the points I had raised.

Yours faithfully,  
SIMON POWIS  
(Consultant surgeon),  
Abington Hill,  
504 Wellington Road,  
Northampton.  
December 27.

From Mr F. Paul Taylor

Sir, Not only do the courts show little regard for other people's commitments and convenience but scant respect for litigants' costs either.

I last appeared as an expert witness in the summer, in my capacity as a management consultant to the chemical industry. I was notified on a Friday afternoon that my presence would be required at the Royal Courts of Justice, 200 miles away, on the Monday morning. Having cancelled appointments, I duly appeared, only to sit listening to protracted repetitive interrogations, often at dictation speed, until I was eventually called to give evidence on the Thursday afternoon. Several times proceedings were interrupted or started late to cater for "smaller" cases.

For all this time my clients were having to meet not only my expensive fees but the cost of my being in London. This added considerably to the eventual costs of the action to the detriment of both parties.

I agree with Mr Adams that were we to organise our own lives on the same basis as the law courts the result would be chaos and disaster for all concerned.

Yours faithfully,  
F. PAUL TAYLOR,  
7 Kingsway, Frodsham, Cheshire.  
December 26.

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — 071-782 5046.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

## EU membership benefits science

From Professor N. C. Handy, FRS

Sir, May I draw the attention of the politicians who express reservations about our membership of the European Union to some of the scientific benefits which I have observed at first hand.

As an active theoretical computational chemist with a large research group, I have observed over the last five years a great increase in both the number of and attendance at international scientific meetings in Europe, many of which have received significant support from Brussels.

One particular EU initiative from which my own laboratory has benefited is the human capital and mobility (HCM) scheme, which funds young foreign scientists — typically post-doctoral — to work in laboratories in other EU countries.

In Cambridge the Department of Chemistry has had 12 such visitors for two-year periods, as well as two HCM Fellows visiting me — one from Ireland, the other from Germany — who

have contributed greatly to my research.

The scheme has also funded the establishment of groups of university networks of researchers with common scientific interests, funding their meetings and the interchange of personnel.

As a result of this scheme, European science is showing a much greater cohesion. Post-doctoral research that was once confined to the United States is now undertaken in European laboratories which are at the forefront of scientific advancement.

British participation in these EU scientific initiatives is considerable. We are right in the middle, exerting our influence. If we were not members of the EU our international scientific activity would be significantly reduced.

Yours faithfully,  
N. C. HANDY,  
University of Cambridge,  
Department of Chemistry,  
Lensfield Road, Cambridge.  
January 1.

## Fears for future research funding

From Dr John H. Mulvey

Sir, Your Focus on engineering and science research (December 15) outlined the radical new approach being adopted by the Engineering and Physical Sciences Research Council (EPSRC) to consideration of proposals seeking support for research.

The EPSRC has emerged out of the old Science and Engineering Research Council (SERC) as the result of a restructuring of the research councils defined in the 1993 White Paper setting out government policy on science and technology. It has been given a "mission" strongly emphasising "wealth creation" and relevance to industrial utility.

No harm in this, and closer interactions between the science base and industry are desirable, but the ways the EPSRC will go about its mission have the potential to do damage to the vitality of basic research in the core disciplines lying within its mandate: physics, chemistry, mathematics and related sectors of engineering.

Procedures which seem at first sight quite reasonable may not always lead to the best results. For example, a "customer" — from industry or another sector of science — must be identified for all research proposals, and audits will be made of the quality and promise of research in progress.

While similar requirements are understandably appropriate in markets for, say, insurance or bricks, in

research they tend to encourage safe, unimaginative proposals rather than speculative conceptual leaps. Especially in the case of long-term science motivated and exploratory research, exploitation will often not be obvious, nor a simple "positive" outcome guaranteed.

Among successes of the old SERC listed in the Focus articles are Alex Gambling's early work on optical fibres for communications and Harry Kroto's discovery of a new form of carbon — Buckminster Fullerene. Yet Gambling was reproached by experts in industry for wasting his time, while Kroto struggled for adequate funds and went to the US to do his experiments.

Speaking of his early work at Cambridge with Max Perutz, which led to the first identification of a protein structure, Sir John Kendrew has said they achieved "no results at all" in over ten years of research, and experts claimed they were doomed to fail.

How will the future Gambings, Kroto's, Kendrews and their fellows fare under the new regime? If the EPSRC fails them, British industry will no longer find the inspiration and quality it needs in the science base.

Yours faithfully,  
JOHN MULVEY  
(Executive Secretary),  
The Save British Science Society,  
Box 241, Oxford, OX4 3QQ.  
December 21.

## Focus on Cyprus

From Mr Denis Hetherington

Sir, The Cyprus High Commissioner (letter, December 28) displays that extraordinary collective Greek Cypriot loss of memory as to those cruel injustices they inflicted on the Turkish minority. The Turkish invasion was to prevent further "ethnic cleansing".

Yours faithfully,  
DENIS HETHERINGTON,  
34 Victoria Street, Brighton, Sussex.  
December 28.

From Mr Bernard Wood

Sir, The Cyprus High Commissioner is, of course, justified in his objections to your correspondent's uncritical treatment of "The Turkish Republic of Northern Cyprus" (report, December 21). He might have added that there are many British nationals whose property was seized by the Turks in 1974 and whose efforts to recover possession or compensation have been fruitless.

We hope that this fact is not overlooked by our own Government, but progress over the past twenty years is far from encouraging. We would like to believe that our situation will not be ignored in negotiations concerning Turkey's trading relations with the European Union.

Yours faithfully,  
BERNARD WOOD,  
Stonebridge Green Cottage,  
Egerton, Kent.  
December 28.

## Verdict on Osborne

From Mr R. H. C. Phillips

Sir, Your issue of December 27, quite rightly, is full of tributes to John Osborne; but may I suggest that only Bernard Levin's ("How his genius struck me") has come close to capturing the point of Osborne's plays.

In an essay published in 1957, "They call it crick", Osborne wrote of his audience: "I want to... give them lessons in feeling; they can think afterwards." In every play he wrote, he did precisely that. From Jimmy Porter in 1956 (*Look Back in Anger*) to Jimmy Porter in 1993 (*Déjà Vu*) we were made — it was not an option, as with so many of today's playwrights — to fulminate, to rage and to care deeply about the convictions of the leading characters. It was only later that quiet reflection led us to see the sense or absurdity of what had been said to us. Above all, Osborne was a funny playwright.

On a personal note, may I say that he was more than "almost" a gentleman. As a student I wrote to inquire of him the publisher of *The World of Paul Slicker*; he sent me a copy by return of post.

Osborne kept us all on our toes and will be much missed. Your tributes have done him justice — but let's hope his memory is not allowed to fade.

Yours etc,  
HENRY PHILLIPS (Headmaster),  
Hordle House School,  
Milford-on-Sea,  
Lympington, Hampshire.

From the Reverend John M. Turner

Sir, May I dispute the claim in your obituary of John Osborne that it was George Fearon, as PRO for the Royal Court, who invented the term "Angry Young Man" in 1956, in connection with *Look Back in Anger*.

It is true that it was not till then that the phrase caught on; but it had already been coined as the title for the autobiography, published in 1951, of Leslie Paul, born in Dublin in 1905. Paul, who had already won the Atlantic Award in Literature, was to become a prolific writer on social and ethical matters and a prominent Anglican philosopher. He died in 1985.

I am, Sir, yours sincerely,  
JOHN MUNSEY TURNER,  
14 Claypool Road,  
Horwich, Bolton, Lancashire.

## Royals at work at home and abroad

From Mr Tim O'Donovan

Sir, I have carried out a survey of the official engagements carried out by the Royal Family during 1994 as reported in the Court Circular.

	A	B	C	D	E
The Queen	147	64	275	486	187
Duke of Edinburgh	158	119	26	303	289
Queen Mother	34	13	16	63	0
Prince of Wales	194	82	99	375	152
Princess of Wales	13	7	14	34	8
Duke of York	30	15	11	76	93
Princess Edward	49	50	23	122	157
Princess Royal	277	99	72	443	229
Princess Margaret	96	35	5	136	7
Duke of Gloucester	134	35	20	189	64
Duchess of Gloucester	122	30	7	159	23
Duke of Kent	127	39	33	199	96
Duchess of Kent	154	22	10	186	74
Princess Alexandra	85	25	13	123	65

A Official visits, opening ceremonies and other engagements

B Receptions, lunches, dinners and banquets

C Other engagements, including investitures, meetings attended and audiences given

D Engagements in UK

E Engagements on official overseas tours

It is very misleading to use these figures as a league table of royal endeavour. Each royal engagement is unique, and differs as to length and content, together with time spent in preparation and briefing. For example, whilst the Queen is holding an investiture at Buckingham Palace the Princess Royal might be carrying out four engagements in Staffordshire.

Those promoting a smaller Royal Family should recall the sad but inevitable fact that on the deaths of Princess Margaret, the Duke and Duchess of Gloucester, the Duke and Duchess of Kent and Princess Alexandra their children will not be assuming their parents' roles. The Royal Family will thus eventually become smaller through natural causes.

In the meantime these industrious relations of the Queen carried out nearly 1,000 engagements in the UK last year. Over a third of these were at the request of charities which, no doubt, benefited considerably from this royal patronage.

Yours faithfully,  
TIM O'DONOVAN,  
Mariners, The Avenue,  
Datchet, Berkshire.  
January 1.

## British Library statue

From Mr Toby Anderson

Sir, I was intrigued by the British Library's decision to house Sir Eduardo Paolozzi's 12th-century bronze statue of Sir Isaac Newton in the forecourt of the new building (report and picture, December 19). Presumably, this decision was motivated by the need to introduce some beauty into a building which the Heritage Select Committee described, in a report last summer, as "one of the ugliest in the world".

It also seems likely that the statue was chosen as a symbol of the arts combining with the sciences to create, in line with Renaissance thought, a progressive and holistic approach to learning. This being the case, it seems rather odd that they should choose a statue based upon William Blake's famous image of Isaac Newton which, for the artist, was an expression of the artificial restriction of the sciences over the creative spirit of man.

Is it really appropriate for an institution so symbolic of learning and culture to convey so unbalanced an image?

Yours faithfully,  
TOBY ANDERSON,  
13 Richmond Road,  
Fallowfield, Manchester 14.  
December 20.

From Mr Charles Mills

Sir, William Blake produced the print on which Paolozzi based his sculpture as a condemnation of Newton specifically and of all scientific and rational thinkers in general. He shows Newton seated in a cave, a symbol of the benighted world that he believed all such rational thinkers to inhabit.

Newton is working with a pair of dividers, a symbol of materialism, drawing a diagram intended to represent the limit of his perceptions. He is gazing downwards in a hunched position suggestive of despair.

Blake abhorred such rationalism, believing it to be a folly, and was at pains to condemn it and its practitioners as curses on the human race. This is surely not the image that should welcome visitors to the British Library?

Yours faithfully,  
CHARLES MILLS,  
Winsford,  
19 Pound Lane, Sonning,  
Reading, Berkshire.  
December 20.

## Loaded score

From Mr J. J. Brown

Sir, At the end of a recent holiday in Tenerife we were asked to fill in a questionnaire. The travel representative said that in order to decide whether each aspect of the holiday was "excellent", "good", "fair" or "poor", we should award marks out of ten. Excellent was six out of ten or better.

Yours faithfully,  
JOHN BROWN,  
South Ridge, Plaistons Lane,  
Sutton Poyntz, Weymouth, Dorset.  
January 1.

















SPORT 17-23

Play the second half of the First XV game



LAW 25

Harassment: a litigation growth area



ARTS 26, 27

Old agony is given new force by Douglas Gordon

TELEVISION AND RADIO  
Pages 30, 31

# THE TIMES

TUESDAY JANUARY 3 1995

England striker subdues lively West Ham in stirring display by Premiership leaders

## Shearer leads Blackburn from the front

Blackburn Rovers ..... 4  
West Ham United ..... 2

By MICHAEL HENDERSON

ALAN SHEARER continues to write his own notices. Blackburn Rovers' magnificent centre forward began the new year as he ended the old one, scoring goals, in this case three, to extend his team's lead over Manchester United to six points. Since losing to United on October 23, Rovers have taken 31 points out of a possible 33, the mood of champions.

Shearer's second hat-trick of the season took his tally to 23 in all football, winning a game to which West Ham United contributed no small amount. In the end, the sheer power of Blackburn's play, allied to their formidable resolve, ensured that Ewood Park would resound to songs of triumph.

There were ironic chants too, aimed at the press box, no less. When Shearer had finally made the game safe with his second penalty, ten minutes from time, supporters belatedly: "Boring, boring Blackburn". So riled are they by what they interpret as condescending coverage of their team's success, one section of the crowd in front of the press turned round en masse and reminded the journalists who were top of the league.

It really has come to something when middle-aged men, who obviously do respectable jobs, are so eager to vent their spleen. One leading sports writer, whose report on Blackburn's win at Crystal Palace last Saturday was passed around the stand, like a Samizdat pamphlet, would be well advised to wear a hard

hat if he ventures as far north as Ewood.

Stung by those home defeats by Trelleborgs FF, United and Liverpool in three different competitions, Blackburn have simply put their heads down and buffeted everyone off the road.

In Shearer, they have a wonderful chief spokesman, the best player in the land, and others have emerged from beneath his cloak to make

They took the lead in the thirteenth minute, when Sutton slid a ball behind the West Ham defence and Shearer, moving from right to left to take it on, was impeded by Miklosko. It was a clear penalty and Shearer swept it sweetly past the goalkeeper's right hand.

Still, West Ham had as much of the game in the first half, and when Cottee cut in from the left past Gale, the former West Ham defender, he scored his sixth goal in five games — and his 99th league goal for the club — with a neat, left-footed shot that crept in off the far post.

Kelvin Morton, the referee, who booked three players from each side, was never fully in control of a game that, though fiercely contested, was never malicious. At one stage in the first half he actually got in the way of a ball that Sutton was trying to get to Sherwood and his inconsistent interpretation of the laws confused the players. Rieper, the West Ham centre half, seemed to spend most of the afternoon fouling people, or looking for people to foul, yet he escaped a booking — unlike Shearer, who was cautioned for shooting over the bar after a linesman had flagged for offside. That was just ludicrous.

West Ham took the lead 13 minutes after the break when Blackburn failed to deal properly with a corner from the right from Hughes. Dicks claimed the goal after a bit of a schlemiel, but the loss of that goal inspired Blackburn who hit back with one of their own. Bishop, looked in the first half, was lucky to stay on the field when he clearly ran across Sherwood. From the free kick, Le Saux bent the ball round the wall and, although



Breaker and the grounded Miklosko thwart Sutton as the Blackburn forward threatens at Ewood Park yesterday. Photograph: Barry Greenwood

PREMIERSHIP

	P	W	D	L	F	A	Pts
Blackburn	22	16	4	2	46	18	46
Man Utd	22	14	4	4	44	19	38
Liverpool	22	13	6	3	38	23	35
Nottingham	22	12	6	4	44	19	34
Newcastle	22	11	7	4	39	24	31
Tottenham	22	10	7	5	39	24	29
Leeds	22	9	8	5	39	24	27
Sheff Wed	22	9	8	5	39	24	27
Sheff Utd	22	9	8	5	39	24	27
Man City	22	8	8	6	39	24	24
Chelsea	22	8	8	6	39	24	24
Arsenal	22	7	9	6	39	24	23
QPR	22	7	9	6	39	24	23
Southampton	22	7	9	6	39	24	23
West Ham	22	7	4	11	39	24	23
Coventry	22	6	7	9	39	24	23
Oxford	22	6	7	9	39	24	23
Cardiff	22	6	7	9	39	24	23
Leicester	22	5	7	10	39	24	21
Sheff Sat	22	4	4	14	39	24	16
Sheff Alb	22	3	5	14	39	24	16

Tottenham triumph ..... 18  
Liverpool on march ..... 19

their own contribution. Flowers is the best goalkeeper in the country. Le Saux, who brought them level in the 61st minute after Dicks had put West Ham 2-1 in front three minutes before, is an imaginative and combative left back. Sherwood, the captain, is occasionally too hot-headed for his own good, but he certainly gives the team up, and when Rieper is in the mood, as he was here in the second half, Blackburn can take flight along the right flank.

Miklosko got a hand to it, he succeeded only in pushing it beyond Breaker, who was on the line.

Blackburn sent on Warhurst for Adams and immediately he forced the big Czech to save well when Shearer

headed down a cross from Wilcox. Fifteen minutes from time, Wilcox released Shearer and, in characteristic fashion, the Blackburn striker found the net from 16 yards with a low, right-footed drive.

Four minutes later, Rieper

blundered once again as Wilcox, after exchanging passes with Sutton, was fouled as he ran into the area. Again Shearer shot his penalty kick to the goalkeeper's right and again it was sufficient. He was booked and immediately sub-

stituted, which enabled Newell to play out the last five minutes. In that time, he exchanged handbats — certainly not punches — with Dicks, who was lucky to stay on the field after a flare-up by the touchline.

BLACKBURN ROVERS (4-4-2) T Flowers — H Berg, A Gale, C Hendry, G Le Saux — S Rieper, T Sherwood, M Adams, P Warhurst, G Morton, J Wilcox — C Sutton, A Shearer (sub: M Howard, 65)

WEST HAM UNITED (4-4-2) L Malosio — T Breaker, S Potts, M Rieper, J Dicks — M Hughes, M Holmes (sub: M Bush, 75), J Moncur, I Bishop — J Bosc, A Collins

Referee: K Morton

## Gough offers new year resolution

FROM ALAN LEE  
CRICKET CORRESPONDENT  
IN SYDNEY

ON ALMOST any other day in this Ashes series, England would have been pathetically grateful for rain. It was somewhat symptomatic that it should fall on the day when the urgency of the touring team's plight had for once brought such an uplifting performance that, briefly, the psychological high ground was theirs.

Australia are so comfortably placed, the Ashes so nearly retained, that one chastening session should scarcely bother them. But on a morning when the frequently negligible England tail added 111 runs, most of them struck with a disrespectful flamboyance, there was something about the expressions on the field that suggested it could be more significant than that.

A similar feel attached itself to that August Friday evening at the Oval last year. There, Darren Gough and Philip DeFreitas swung the bat with such effective abandon that a series against South Africa that was about to be lost was instead dramatically levelled when Devon Malcolm, stung by a blow on the head while batting, produced the bowling spell of his life.

The cast list was similar yesterday. Gough made a half-century, just as he had at the Oval. Malcolm made his highest Test score and received some unfriendly but motivational bouncers for his cheek. The force was with them both, and, given an hour at the Australians with a new ball, mood and circumstance might have conspired to happy effect.

We shall never know. The grey skies that had been brooding over Sydney all

morning began doing their worst during the lunch interval, and although the Australian reply did start, 25 minutes late, it was into only its fourth over when more serious and persistent rain interrupted, perhaps even deleted, this developing story line.

Sydney suffers more rain-ravaged days of cricket than any other Australian city — a fact Manchester mischievously used in its propaganda when bidding for the Olympic Games of 2000 — but the weather has seldom turned with such unkind timing, not only for England's lingering hopes of reviving this series but for the second crowd of 30,000 in successive days. Even the holidaying solicitors and self-confessed dropouts who make up the motley and noisy "Barney Army". En-

gland's travelling fan club, were subdued and bedraggled by the time play was abandoned.

With three days remaining of this Third Test, all was not lost. England had banked a first-innings score of more than 300 for only the third time in 11 Ashes Tests, and, although 309 was short of being a total to put Australia out of the game, it at least ensured they would have to work through a period of stress instead of batting in the comfortable vacuum of a team that feels untouchable.

There was, too, something pleasing about the manner in which England transformed an overnight 198 for seven. Although Gough grunted and giggled, this was more than mere knockabout stuff. It spoke of a spirit of defiance

and self-belief that had been conspicuously lacking in much of the early order batting.

Some of the most experienced and accomplished players on this tour are at present in the grip of powerful emotions, overpowered by failure to the point where the basic coordination of head, hands and feet has seized up. Graham Gough has managed 94 runs in five Test innings. Mike Gatting a meagre 57. Aside from his splendidly stubborn 80 in the Brisbane rearguard action, Graeme Hick has scored 30 runs in the series.

Michael Atherton, the captain, has been heroic, trailing his Union Jack through 23 days of unyielding batting already. But it took Gough's untutored style and uncomplicated outlook to show that

there is another way of conquering the Australians. Gough, 24, from Yorkshire, is the irrepressibly smiling face of this tour, and, alone among the England party, his cricket can be reported with unreserved enthusiasm.

"I went out to thrash the bowling around the park and that's what I did," he explained without a trace of vanity. "It's the way I play, and the captain and manager had told me I should play my natural game." This, at least, is to be applauded. The chain of command in the England camp is not easy to follow, and it would be a rarity and a relief to find unanimity that Gough must be left alone to do things his way.

Craig McDermott may not be so approving. His overnight figures of four for 42

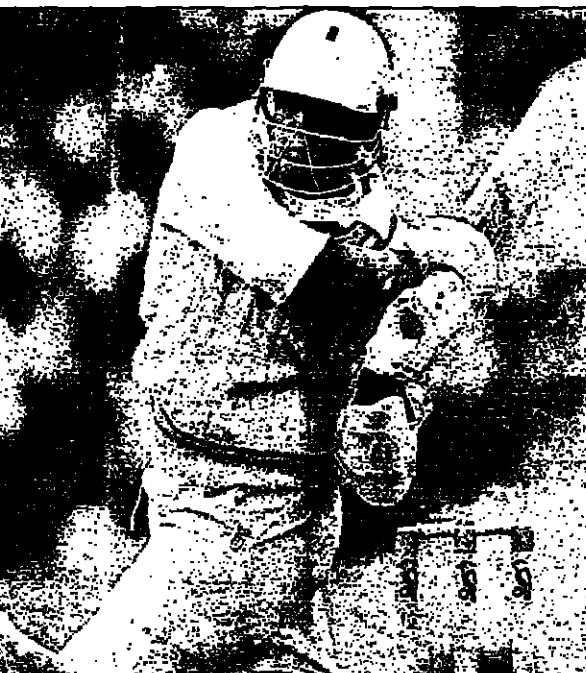
were looking a little soiled after an hour of Gough, who scored 24 of the 26 from his first three-over spell, hooking him for six with that audacious overhead flip that breaks the textbook mould so triumphantly.

Gough's fifty came from 54 balls out of 53 runs added with the stoical Angus Fraser, mortified by his schoolboyish run-out of Steven Rhodes on Sunday but now batting with composure virtually through the session.

Gough celebrated by whirling his bat around his head in boyish delight. Mark Waugh instantly dropped him at slip, an unarguable sign that Australia were not on their game, before Damien Fleming took a well-judged catch at long leg to put McDermott out of his misery.

Now it was the turn of Shane Warne to suffer. Warne against Devon Malcolm was an uneven contest in Melbourne last week — it lasted one ball and gave Warne his hat-trick — but Malcolm struck him for two venomous sixes in making 29 from 18 balls. Warne could scarcely summon a smile when he bowled him through an expansive heave.

Even the last wicket added valuable runs, but, perversely, saved Australia having to bat before lunch. When they did go in, Gatting could have given the shortened day a final twist by running out Michael Slater from short leg. Taking a firm stroke cleanly with Slater a yard out of his crease, Gatting's right arm froze as if in an act of mercy. When his hands would work again, they covered his face. It has not been Gatting's tour.



Gough lashes out with bravado to rekindle England's hopes in the third Test. Photograph: Graham Morris

SYDNEY SCOREBOARD

ENGLAND: First Innings		AUSTRALIA: First Innings	
G A Gough c Healy b Fleming ..... 1	7-1, 5-3-6-0, 4-0-18-0, 2-1-1-0, 9-5-13-1, 1-2-0-5-1	M J Slater not out ..... 4	1-14min, 8 balls
"M A Atherton b McDermott ..... 88	(8-3-11-0, 5-1-22-0, 7-2-9-0, 6-2-14-0, 9-2-32-1); May 17-4-35-0 (nb 3, 9-3-11-0, 8-1-24-0); M E Waugh 5-1-10-0 (nb 2, 1-0-3-0, 4-1-6-0, 1-0-1-0-1); Bowen 4-1-5-0 (one spell)	"M A Taylor not out ..... 0	(14min, 13 balls)
G A Hick b McDermott ..... 2		Extras ..... 0	
G P Thorpe lbw b McDermott ..... 10		Total (no wtd, 3.3 overs, 14min) ..... 4	
J P Crawley c M E Waugh ..... 72		D C Boon, M E Waugh, M G Bevan, S R Waugh, T A Healy, S K Warne, C J McDermott, T B A May and D W Fleming to bat	
"M A Taylor not out ..... 13		BOWLING: Malcolm 2-0-0-0 (one spell); Gough 1-3-0-0-0 (one spell)	
M W Gatting c Healy b McDermott 0		Umpires: S A Bucknor (West Indies) and D B Hair (Australia)	
(3 min, 4 balls)		TV replay umpire: W A Cameron	
A R C Fraser c Healy b Fleming ..... 27		Match referee: J R Reid (New Zealand)	
(14min, 56 balls, 2 fours)		PREVIOUS MATCHES: first Test (Atherton 71, 3-20 (Atherton 71, 4-184 (Crawley 72, 5-154 (Crawley 72, 6-106 (Fraser 21, 7-197 (Fraser 21, 8-255 (Fraser 9), 9-255 (Fraser 17))	
"S J Rhodes run out (S R Waugh/Fleming/Healy) 1		BOWLING: McDermott 30-7-101-5 (nb 4, 9-3-14-2, 8-2-22-0, 8-2-32-2, 7-0-33-1); Fleming 25-2-12-63-3 (5-5-3-3-1)	
(3 min, 2 balls)		CT Compiled by Bill Frindall	
D Gough c Fleming b McDermott 51			
(72min, 56 balls, 1 six, 4 fours)			
O E Malcolm b Warne ..... 29			
(23min, 18 balls, 2 sixes, 3 fours)			
P C R Turner not out ..... 4			
(25min, 17 balls)			
Extras (b 8, lb 7, nb 9) ..... 24			
Total (119.2 overs, 478min) ..... 308			

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## FOCUS ON BANKING & F.S.A.

An unusually wide range of job opportunities currently exist with domestic and international law firms, banks and finance institutions for lawyers with banking, securities and regulatory experience. The emergence of large scale project finance, infrastructure and energy work as key practice areas, the development of new financial products and an increasingly sophisticated regulatory regime has resulted in an acute need to recruit high calibre, commercial and intellectually able legal officers.

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### FINANCE PARTNERS

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The international law firm is seeking to recruit heavyweight partners to complement its existing banking, project finance and capital markets practice. A strategic decision has been taken to increase the critical mass of the team in London over the next two years. Candidates require a high profile in their chosen field and strong development and marketing skills. The firm is profitable and operates a two-tier partnership structure. Opportunities for full integration into equity are available. (Ref:2953)

2-3 year qualified solicitors sought by top City firm to handle banking and securities work. Clients include blue chip domestic and international finance houses. The group, structured on a client-led basis, encourages individual responsibility and commercial input. Firm has retained profitable throughout the recession and medium-term prospects are excellent, not least because you will be joining a group with a high profile in the firm. (Ref:2688)

### BANKING AND SECURITIES

£45,000  
A number of opportunities exist for both "pure" banking lawyers and specialist securities and derivatives lawyers with 1-4 years' experience within this leading City practice. Ideally, candidates require a City training, sound academic and the drive and ambition to play a key role in what is the firm's flagship department. Opportunities for advancement and movement between overseas offices available for strong candidates. (Ref:3815)

The above represents a small selection of the vacancies presently registered with us. To find out more about these or other areas, please contact Sally Morris, Lisa Hicks or Miranda Smyth (all qualified lawyers) on 071-777 0510 (081-785 9365 evenings/weekends) or write to us at Zarak Macrae Brenner, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax: 071-247 5174. Internet e-mail: sally@zmb.co.uk

### FUNDS/F.S.A.

London office of global, multi-national partnership seeks partner with excellent knowledge of the FSA regulatory framework with an established name in the complex area of funds management, both in the UK and offshore. Firm is recognised as a pioneer in global funds and emerging markets in New York, Hong Kong and the UK, and has an excellent track record of senior lawyer integration. Highly attractive partnership package. (Ref:2418)

### FINANCIAL SERVICES

£45,000  
Leading City practice seeks financial services lawyer for key role in established regulatory team. The firm is renowned for its high quality work in this area and clients include City institutions, banks, securities houses, insurance companies and regulatory authorities. Between 2-5 years' relevant experience is necessary together with a pro-active and commercial mindset and at least a 2:1 at degree level. Turn opportunity to join young and driving group with prospects. (Ref:3710)

### IN-HOUSE CAP. MKTS.

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Opportunity for highly motivated finance lawyer with capital markets and derivatives experience to work for a leading investment bank. Applicants will have between 18 months' and 3 years' experience, a top City training and a robust personality. There will be considerable exposure to clients and interaction with the bank's other international office. Premium City salary on offer. (Ref:1886)

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### PROPERTY LITIGATION

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## LAW

## Nudge, nudge, sue, sue

Claims of sexual harassment are on the increase.  
Gillian Howard reports on the legal pitfalls.

Picture the scene. It is the Christmas party season. One of your senior executives has been having an affair with his secretary for the past year. It happens all the time, and why not? He is a little surprised, though, when she sues him and the firm for sexual harassment, alleging that he asked her to do something that was "so dirty and disgusting, that she would not even contemplate doing it with her husband".

Don't think that this has not happened. It just has, to a senior partner in a leading City firm of solicitors.

The trouble with a little hanky-panky in the office is that it can go badly wrong as this solicitor will find out when the case comes up in an industrial tribunal.

Take the case of Michael Tucker, a senior manager at the Trustee Savings Bank until a cleaner found him "having it away" with one of the female clerks in the training room on Christmas Eve. Well, that is what the cleaner alleged she saw when she burst into the training room at TSB's insurance headquarters. Although the Cardiff tribunal found their dismissals to be unfair, because the company had not investigated the cleaner's claims very thoroughly, they lost both their jobs and their reputations.

Claims of sexual harassment are on the increase, according to the Equal Opportunities Commission. Since November 22 last year, there have been no limits on compensation in claims of sexual (or racial) discrimination. In such cases, the tribunals may make an additional award of compensation for distress and damage to injured feelings. It is likely that tribunals will now make significant and substantial awards.

In a sexual harassment case a couple of years ago, a Leeds tribunal awarded the maximum compensation possible against Elida Gibbs and David Laverick, the perpetrator of the sexual harassment. This was despite the fact that



The trouble with a little hanky-panky in the office is that it can go very badly wrong

his victim remained in the company's employment. The tribunal made the award because of the humiliating way that she had been treated at the tribunal by the company and its legal representative.

Another problem with an affair in the office is that you are open to blackmail. Take the case of the managing

director who gave his secretary, with whom he had been having an affair, an enormous pay rise, first-class travel to accompany him on business trips and as much time off as she wanted because she had a young family. She, however, wasn't satisfied and demanded a promotion with a company car, which she got.

Imagine how surprised the MD was when male members of staff made equal claims for pay rises and for time off to be with their children.

And, of course, your little affair in the office may distract you from your job. Poor Jim Cassidy lost his. He was a successful buyer for a steel company until he started an

affair with a colleague, described in the case heard at Reading as Miss M. To make matters worse he was engaged to Miss P, with whom he had bought a house. Neither the managing director nor Mr Cassidy's line manager approved of office liaisons, so they discouraged him from coming to the office. But still he spent so much time concentrating on Miss M that he neglected his job, and was dismissed.

A number of universities have adopted a code of conduct which sets out the rules for lecturers and students who become romantically involved. Promises of high grades and a look at the examination papers are not on. The lecturer may end up being dismissed and the student expelled.

Perhaps it is not surprising that affairs start at work. More than 50 per cent of couples meet there. However, when there is a possible conflict of interest and your employer begins to get worried about "pillow talk", one of you will have to go.

The employer will generally prefer to dismiss the woman. Well, the man is the breadwinner and his job is more important than a woman's. But we beside any employer thinking that. As far back as 1981, the Court of Appeal held that such assumptions are based on sex-stereotyped views. Such thoughts are unlawful sex discrimination.

And finally, if your company decides to have an up-market party in a local hotel and invites local dignitaries, it is not a good idea to bring along your girlfriend, particularly if she is the local town stripper.

One very well-known company had the embarrassment a few Christmases ago of the party ending with a punch-up on the dance floor with numerous drunken male managers involved and the stripper performing her act in the middle of the fray. What a wonderful story for the local paper.

● The author, an employment lawyer, is an industrial relations consultant.

## Sex and The Sun: a happy legal new year

January

The success of Gillian Taylor's book enables her to pay off the costs of her unsuccessful libel action against *The Sun*. A new approach to the treatment of *Pancratius* sets records for the sale of a medical book.

February

The Lord Chancellor alleviates legal aid lawyers' fears by announcing that he hopes to reduce the level of cuts in legal aid rates to no more than the rate of inflation.

March

Members of the Law Society vote that the president of the Law Society should be paid as a legal aid solicitor rather than the society's preferred option of a High Court Judge. Undeterred, the society's "roadshows" get under way, asking solicitors how they value their officials. The response is that they are as popular as the Legal Aid Board.

April

The number of solicitors' firms being investigated for financial irregularities continues to increase. The Law Society's new quality standard insists that solicitors write to clients in advance to tell them that their money is to be stolen.

May

The signing of the publicist Max Clifford by Judge James Harkness sets a precedent. A judge complains at the lack of publicity generated by the Lord Chancellor's Department press office for his daughter passing her driving test. The Treasury uses the Special Contingency Reserve to hire Mr Clifford. His first "meet the press" session is not a success. Lady Mackay explains how to make porridge.

June

The level of sex-discrimination awards for pregnant servicewomen continues to rise. Million-pound payments become commonplace, and industrial tribunals adjust their procedures. The application forms are available from all National Lottery outlets and have a box to tick for no publicity. One award winner tells *Hello!*: "I knew that sex was a lottery but with sex discrimination you always have a winning ticket."

The Ministry of Defence announces that it has run out of money to pay awards, and in future winners will have to be paid in kind.

Many a lucky winner is detected by a neighbour when a shiny new Challenger tank appears on the drive.

July

The Law Society stops collecting subscriptions from members, and offers a gold credit card to lawyers earning more than £25,000 per annum. A silver card is offered for those earning less. The profession waits to see if more detailed colour codings will be announced. Legal aid solicitors want something to match the Family Credit giro.

August

Nothing happens because all the lawyers are in Tuscany.

September

The president of the Law Society announces a campaign to detect solicitors with drink problems. A survey is conducted and finds that most solicitors contacting the Society are complaining that they cannot afford to drink as much as they want.

The Lord Chancellor orders a review of the cost of judges' lodgings after it is revealed that it can cost more than £10,000 a week to keep a High Court judge. Reaction to the alternatives is mixed. Some judges like their draughty lodgings and the diet of Brown Windsor soup and Romanian claret. But one younger judge says: "Many would prefer to stay at a Grand Lodge and send for a Big Mac. The rooms are warm and they can enjoy *Baywatch* without being reported to the Judicial Studies Board."

October

The Lord Chancellor is forced to act after *The Sun* publishes photographs of an unclad judge and a *Sun* reporter, to whom he is alleged to have offered £50 for sex. The Lord Chancellor describes the fee as "daylight robbery", and the Legal Aid Board proposes competitive tendering to reduce prices.

November

Sales of *The Deacon Goldstein* (the firm which called in the receivers) *Guide to Managing Solicitor's Practice* are said to be "sluggish".

December

Solicitors for the Professional Goalkeepers Association issue a writ against a building society for using the slogan: "The less you save, the more you earn."

● The author is a practising solicitor.



PATRICK STEVENS

## Court of Appeal

## Law Report January 3 1995

## Chancery Division

## Consent no defence in nuisance

## Pleading rights of a third party

**Wheeler and Another v J. J. Saunders Ltd and Others**  
Before Lord Justice Staughton, Lord Justice Peter Gibson and Sir John May (Judgment December 19)

Grants of planning permission to facilitate installation of pig farming on a site already used for that purpose did not render the grantees immune from liability in nuisance to neighbouring landowners in respect of smells inevitably caused by implementation of those planning permissions.

The Court of Appeal so held in a reserved judgment dismissing an appeal by the first and second defendants, J. J. Saunders Ltd and Kingdown Farm Ltd, from that part of the order made on July 24, 1992 by Judge Weeks, QC, sitting at Bristol as an additional judge of the Chancery Division, whereby he held them liable to the plaintiffs, Dr Graham Wheeler and Mrs Harriet Wheeler, in nuisance, granting damages and an injunction. In relation to another part of the judge's order the appeal was allowed.

Mr Gregory Stone, QC and Mr Charles Auld for the defendants;

Mr Joseph Harper, QC and Mr David Phillips for the plaintiffs. LORD JUSTICE STAUGHTON said that the argument for the defendants was that, since they had obtained planning permission for two pig rearing houses, any small emanations from the pigs kept in them could not amount to a nuisance.

Surprisingly there appeared to have been no direct authority on the point until recently. There had, however, been cases dealing with the question whether statutory authority was a defence to a claim of nuisance.

In *Allen v Gulf Oil Refining Ltd* [1981] AC 1001, 1011 Lord Wilberforce said: "It is now well settled that where Parliament by express direction or by necessary implication has authorised the construction and use of an undertaking or works, that carries with it an authority to do what is authorised with immunity from any action based on nuisance." He had added (at p 1014) that the immunity was confined to harm which was the inevitable result of what Parliament had authorised.

His Lordship did not consider that planning permission necessarily had the same effect as

statutory authority. When *Allen v Gulf Oil Refining Ltd* had been before the Court of Appeal [1980] QB 156 Lord Justice Cumming-Bruce had said: "The effect of planning permission on what would otherwise be a nuisance."

He had said (at p 174): "[A] planning authority has no jurisdiction to authorise a nuisance save (if at all) in so far as it has statutory power to permit the change of the character of a neighbourhood...". The problem had arisen directly in *Gillingham Council v Medway Dock Co* [1993] 3 All ER 343. Mr Justice Buckley had there held that an alleged public nuisance was authorised by a grant of planning permission and so was not actionable. His reasoning had closely followed the dictum of Lord Justice Cumming-Bruce to which his Lordship had referred.

Mr Justice Buckley had concluded (at p 361): "In short, where planning consent is given for a development or change of use, the question of nuisance will thereafter fall to be decided by reference to a neighbourhood with that development or use and not as it was previously." He had said (at p 360): "...it is only a nuisance inevitably resulting from the authorised

works on which immunity is conferred." His Lordship accepted what had been said by Lord Justice Cumming-Bruce.

To the extent that those two propositions featured in Mr Justice Buckley's judgment his Lordship agreed with the decision, but would not go any further than that.

It would be a misuse of language to describe what had happened in the instant case as a change in the character of a neighbourhood. Unless one was prepared to accept that any planning decision authorised any nuisance which must inevitably flow from it, the argument that the nuisance had been authorised by planning permission in the instant case had to fail. His Lordship was not prepared to accept that.

LORD JUSTICE PETER GIBSON, concurring in the result on the nuisance issue, said that prior to *Gillingham v Medway Dock* the general assumption appeared to have been that private rights to claim in nuisance were unaffected by the permissive grant of planning permission, the developer going ahead with the development at his own risk if his activities were to cause a nuisance.

The *Gillingham* case, if rightly decided, had called that assumption into question, at any rate in cases, like *Gillingham* itself, of a major development altering the character of a neighbourhood with wide consequential effects such as required a balancing of competing public and private interests before permission was granted.

His Lordship would see that in such a case the public interest had to be allowed to prevail and that it would be inappropriate to grant an injunction. But he was not prepared to accept that the principle applied in the *Gillingham* case had to be taken to apply to every planning decision.

The court should be slow to acquiesce in the extinction of private rights without compensation as a result of administrative decisions which could not be appealed and were difficult to challenge.

If the test for the principle applied in the *Gillingham* case required that there be a change in the character of the neighbourhood, that was not satisfied in the instant case.

The justification for the principle applied in the *Gillingham* case was that the local planning authority would already have balanced the relevant competing interests, that justification would not appear to apply.

The judge had been entitled to conclude that the planning consents did not prevent the plaintiffs succeeding in their claim in nuisance.

Sir John May delivered a concurring judgment.

Solicitors: *Henriques Cripps & Co*, Bristol Beaumonts, Hereford.

**El Ajou v Dollar Land Holdings plc**

Before Mr Justice Robert Walker (Judgment December 6)

Tracing, in equity, depended not on the actual imposition of an equitable charge but on equity's capacity to impose such a charge; the charge was notional. There was no inflexible rule, that a defendant fundholder might, or might not, resist a plaintiff's claim to trace his own money into that fund by pleading the rights of a third party.

Mr Justice Robert Walker so held, on a remission to the Chancery Division by the Court of Appeal (*The Times* January 3, 1994; [1994] 2 All ER 685) for the purpose of decision on quantum, of an action by the plaintiff, Mr Abdul Ghani El Ajou, against Dollar Holdings plc, based on the knowledge receipt by that company of £2.25 million, part of the proceeds of a massive share fraud carried out in Amsterdam by three Canadians between November 1984 and November 1985, which it invested in the acquisition of a site in Battersea.

Mr Roger Ellis for the plaintiff; Mr Ronnie Tager for the company.

MR JUSTICE ROBERT WALKER said that further evi-

dence before him given by Mr Van Apeldoorn, a member of the Amsterdam Bar, appointed by the Dutch court as trustee in bankruptcy of the Canadian companies, had established, *inter alia*, that (a) their share-pushing operation was wholly fraudulent, worthless shares being sold to about 4,000 would-be investors, namely, to the plaintiff and the other 1985 victims; (b) so far as Mr Van Apeldoorn knew, the plaintiff's had been the only individual claim brought against the company, and (c) the plaintiff and he, on the other victims' behalf, had agreed that the proceeds of the present action should be divided 70:30 between the plaintiff and them.

Mr Ellis had submitted that in the light of the 70:30 agreement and the near certainty that no further individual claim would now be made by any of the other victims, there was nothing equitable in the order he sought, for payment of the whole of the £2.25 million to the plaintiff.

Although one of many, he was the only victim whose lost assets he had the time of \$6.673 million, been specifically traceable to that sum received by the company.

Mr Tager, submitting that it was open to any of the other 1985 victims similarly to trace their losses to identifiable "laundered

money", argued that not the whole, but only a fraction, of that £2.25 million could belong in equity to the plaintiff, the balance belonging in equity to the other relevant victims.

The essential question was: had the plaintiff shown that his equitable right extended to the whole, or only to a part, of that fund? Tracing in equity was a complicated subject to which the courts' approach had been influenced by its particular context.

Early nineteenth century cases were very different from cases like *Barlow Clowes International Ltd v Vaughan* [1992] 4 All ER 22 where all that remained, at the end, was the residue of the proceeds of fraud; in the latter kind of tracing, application of a "first in, first out" principle based on *Clayton's Case* [(1816) 1 Mer 572] might be neither practicable nor fair.

In *Sinclair v Brougham* [1914] AC 398, 420-2, 441-2, 459-60 it was made clear that the basis of tracing into a mixed fund was the equitable charge; so tracing depended on the power of equity to charge a mixed fund with repayment of trust money, not upon any actual exercise of that power and the tracing claimant's position was not the same as that of a beneficiary of a properly constituted trust fund.

Indeed the Court of Appeal, in

the *Barlow Clowes* case, had recognised that "first in, first out" was *prima facie* inappropriate for victims of large scale fraud.

His Lordship concluded that even if every assumption were made in favour of other victims' capacity to trace, the facts were that the plaintiff had lost a net sum of over \$5 million; over \$6 million of his money was traceable into funds from which the £2.25 million had come; and it was almost inconceivable that any of the other victims would now try to mount an individual claim. The evidence indicated that, in practice, all their interests were being well looked after by Mr Van Apeldoorn.

Finally, whether it was possible for a *ius tertii* (the rights of a third party) to be raised by way of defence to a claim to trace, must depend on the nature of the claim and the surrounding circumstances; there could be no rigid rule either way and here such a plea was inappropriate.

Accordingly, there would be an order that the company pay to the plaintiff the whole sum of £2.25 million, with interest from March 16, 1988, compounded with yearly rests.

Solicitors: Bower Cotton & Bower; Kaufman Kramer Sheehy, Camden.

## Temporary planning permission removes reason for existing use certificate

**Bailey and Another v Secretary of State for the Environment and Another**

Before Lord Justice Nourse, Lord Justice Henry and Mr Justice Potts (Judgment December 15)

An existing use certificate giving immunity from enforcement action in respect of the unlawful use of land that had begun before 1964 was not to be granted if temporary planning permission had at some time been granted for the established use.

The effect of such permission was to render that which had been unlawful lawful so as to bring to an end the use required by section 191 of the Town and Country Planning Act 1990 for the grant of a certificate.

The Court of Appeal so held in reserved judgments dismissing an appeal by the applicants, Alan Charles Bailey and Dorothy Mary Bailey, from the decision of Mr Gerald Mortimer, QC, sitting as a deputy judge of the Queen's Bench Division on February 17, 1993, who had upheld the decision of the Secretary of State for the Environment not to interfere with the refusal by Sedgemoor District Council to grant an existing use certificate in respect of the use of land at East Huntspill, Somerset.

Section 191 of the 1990 Act provides that a use of land is established if "(a) it was begun before the beginning of 1964 with-

out planning permission and has continued since the end of 1963...". Section 192(1) enables a person having an interest in such land to apply to the local planning authority for an existing use certificate and by section 192(4) such a certificate shall "as respects any matter stated in it to be conclusive for the purposes of an appeal to the secretary of state against an enforcement notice...".

Mr Jonathan Clay for the applicants; Mr David Elvin for the secretary of state; the council did not appear and was not represented.

LORD JUSTICE NOURSE said that the appeal raised a short point of planning law on which the applicants sought to have the decision of Mr Justice Bean in *Bolton v Secretary of State for the Environment* [1992] 1 WLR 1491 overruled.

The use of the applicants' land for repairing and storing motor vehicles had begun before the beginning of 1964 without planning permission and had continued ever since.

However, in 1987 temporary planning permission for that use for a period of two years was granted. A further application by the applicants to continue the temporary use was refused and an enforcement notice had been issued against them in June 1990.

The provisions in sections 191

and 192 of the 1990 Act gave to an established use of land an immunity from enforcement action under section 172 of the Act.

They did not, however, go further than that. The use remained in breach of planning control and, as such, unlawful. So the established use of land referred to in section 191 was necessarily an unlawful one.

Immediately before the applicants were granted the temporary planning permission in 1987 their use of the land for repairing and storing was an established use within section 191(4). If the applicants, instead of applying for planning permission, had applied for an existing use certificate, the district council would have been bound to have granted it.

However, the effect of the planning permission was to render that which had been unlawful lawful and thus to bring the use referred to in section 191(a) to an end. In other words, the established use no longer continued. Section 191(a) ceased to apply and with it ceased the applicants' entitlement to the grant of an existing use certificate.

The deputy judge's decision following the *Bolton* *Tin Trust* case was correct and should be affirmed.

Lord Justice Henry and Mr Justice Potts agreed.

Solicitors: Hawks & Scofield, Burnham-on-Sea; Treasury Solicitor.

## Coastguard owes no duty to mariners

**Skinner v Secretary of State for Transport**

Before Judge Gareth Edwards, QC (Judgment November 21)

The coastguard did not owe a duty of care to a mariner when exercising its ordinary functions of watching and listening and in its rescue coordination activities even in an emergency.

Judge Gareth Edwards, QC, sitting as a judge of the Queen's Bench Division, so stated in a reserved judgment when dismissing an action for damages brought against the Secretary of State for Transport by Joel Samuel Skinner and Tina Grace Webster, widow of David William Webster, in respect of alleged negligence by the coastguard at Millford Haven marine rescue station at Haverfordwest in failing to respond to a distress signal issued on September 5, 1988 by the fishing vessel *Inspire* at the time it sank with Mr Skinner, Mr Webster, Mr Terence Jones and Mr Ronald Laugharne on board.

Mr John Hendy, QC and Miss Heather Williams for the plaintiffs; Mr Lionel Persey and Mr Michael Davey for the defendants.

HIS LORDSHIP said that the statute governing the coastguard, the Coastguard Act 1925, was administrative and not directive and did not in terms place a statutory duty on the coastguard.

The exact duties could be gleaned from various parliamentary answers from 1983 onwards when the coastguard

came under the auspices of the Department of Trade. It was now overseen by the Department of Transport. There was also a code made by any of the other victims.

When considering the question of the legal duty of care to mariners at sea, the correct approach was to look at the judgment of the House of Lords in *Caparo Industries plc v Dickman* [1990] 2 AC 605 in which an incremental approach was expounded, such that the scope of the duty of care could be widened only by analogy.

There had been no successful action against the coastguard before, indeed no action at all, nor was there any other precedent of successful action against rescue services like the police or fire service: see *Hill v Chief Constable of West Yorkshire* [1989] AC 53 and *Alexander v Oxford* [1993] 4 All ER 328 in which it was held that there was no duty of care owed to a member of the public making a 999 call.

In those cases where a police officer had been found liable, the position was different because the officer had acted to cause the dangerous situation. Likewise *Dorset Yacht Co Ltd v Home Office* [1970] AC 1004 found into that sequence of the ordinary liability of someone who created a danger and then negligently let it loose.

In his Lordship's judgment, there was therefore no support from those cases.

His Lordship considered whether a distinction could be

made between a police officer and his duty to the public at large and the coastguard and its duty to mariners in their particular circumstances. He noted that while there were distinctions, those were not sufficient to make a difference in principle.

His Lordship considered that authorities based on findings against state bodies were not comparable with the present case because, although the coastguard had some statutory framework, it was not created by statute and its functions were not defined by statute.

In his Lordship's judgment the incremental approach led to a negative. One could not by analogy with the emergency services or statutory bodies establish a duty of care. The coastguard in the ordinary function of watching and listening and in its rescue co-ordinating activities did not owe a duty of care to mariners or members of the public even in an emergency.

His Lordship also addressed the public policy considerations raised in *Hill* and decided that those applied even more so to the coastguard. The effects of possible legal action, *inter alia*, would not lead to more caution but would lead to defensiveness and with resources taken up would lead to a diminution in the coastguard service. That would be contrary to public interest. His Lordship would therefore dismiss the action for public interest reasons aside from the reasons already outlined.

Solicitors: Delight Guedalla; Treasury Solicitor.

leave to re-amend the statement of claim.

LORD JUSTICE LEGGATT said the plaintiffs should be able to formulate their claims for damages as they wished and not be forced into a straitjacket of the judges' or their opponents' choosing.

The judge had previously ordered the plaintiffs to relate each item of damage to a specified cause, although the plaintiffs case was that the defendants were generally responsible for their losses.

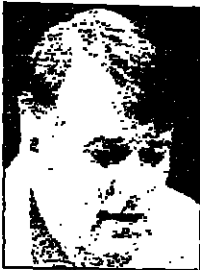
## Formulating claims

**GMTC Tools and Equipment Ltd v Yuasa Warwick Machinery Ltd (formerly Warwick Machine Tools Ltd)**

A judge was not entitled to require a party to establish causation and loss by a particular method.

The Court of Appeal (Lord Justice Leggatt, Lord Justice Simon Brown and Lord Justice Hoffmann) so held on November 24 allowing an appeal by the plaintiffs from the refusal by Mr Justice Patten, sitting as an official referee on December 11, 1992, of





**OPERA page 27**  
Young girl, get out of my  
mind: a new, all-singing  
version of Lolita is  
premiered in Stockholm

# ARTS

**TOMORROW**  
Isaac Newton and other  
Light Blue treasures  
come to the aid of  
Cambridge's coffers



**VISUAL ART: Powerful installations by a Glaswegian in London; quirky and quaint multiple exposure in Glasgow**

## The naked and the undying

Douglas Gordon delves into the past for his flickering, poignant and unsettling video images. Richard Cork reports

Only a decade ago, the new art from Glasgow was dominated by big, hectoring canvases of square-jawed doers, wild-eyed young men in tweedy suits and heroic Clydeside workers. The emerging names — Howson, Campbell and Currie — were all doughtily committed to figurative painting on the grandest possible scale. Nothing less would suffice.

Today, however, young Glaswegian artists are driven by very different concerns. Although pigment on canvas still plays a part, it is more likely to take an abstract form. And a whole host of alternative media, including video, photography, film, texts and ready-made objects, are deployed with zest. If anything, the spirit of community among these resourceful allies is even stronger than it was in the Glasgow of the early 1980s. But many of them are already accustomed to exhibiting abroad, and Douglas Gordon, one of the most internationally successful, is now submitting himself to the acid test of his first one-person show in London.

It turns out to be a strange, deeply unsettling event. The first room visitors find at the Lisson Gallery is divided, almost territorially, by the steel cable of a practice tightrope. Stretching in a taut diagonal across the space from one corner to another, this high-tension wire seems both expectant and inviting. It tempts everyone to have a go, despite the notice warning "Danger: do not touch."

A spare and rigorous artist, Gordon stops well short of present-

ing his tightrope work in nightmarish terms. But there is still a link between this matter-of-fact installation and the main exhibit in the next room. Here, propped with deceptive casualness against a black pole in the middle of the darkened space, leans a screen. It is as large as many of the hefty canvases painted by Gordon's Glaswegian seniors ten years ago, and shares their fascination with a male figure. But there the resemblance between the generations ends. For this screen is the focus of a video projection, and the jerky images flickering here clearly derive from a silent film produced long before Gordon was born.

No attempt has been made to hide the ragged, blotchy grain of the original film-stock. It reinforces the desolate mood conveyed, in the opening seconds, by the room where the action takes place. Apart from an iron-frame bed, redolent of a hospital or army barracks, the room is as empty and devoid of decoration as the gallery itself. But to start with, at least, a pair of naked legs occupies the centre of the screen. They move backwards, forwards and then stop. The camera reveals the whole figure, of a young man who looks sturdy and agile enough to have recovered from whatever ailment he once suffered. No sign of injury can be detected on his pale body.

Just as we are about to conclude that he is fit to leave, though, the man suddenly falls over. It happens so fast that the unseen camera operator is also caught off-guard. The figure falls partially out of sight, to the left. He is still lying there when the camera catches up with him. The man tries sitting up, only to fall back sharply on the floor. Then his head moves from side to side, as if to reassure him that he can still perform a simple feat. By this time, however, a horrible sense of paralysis afflicts this prone form. Well-muscled, he is nevertheless quite unable to make his limbs respond in a normal way.



"The filming has clearly been carried out for medical purposes, and the knowledge that the young man's torment is real only adds to the vicarious fascination"

6 The writhing, toppling figure seems doomed to an eternity of remembering, years after the war itself has finished 9

But he does not lack determination. With an enormous, grating effort, he tries to prop himself up on an elbow. The attempt defeats him, and he flops down once more. Eventually, though, he manages to sit up, turn to one side and place both hands resolutely on the floor. Using all the strength his arms can muster, the figure now tries to get up. He nearly succeeds, several times, before crashing back in a humiliating display of helplessness. The film leaves him lying horizontally, his body still twitching with spasmodic, unconvincing attempts to raise head and limbs.

It is, on one level, a gruelling film to watch. Whatever distress I felt, though, was increasingly countered by a sense of absurdity. As the figure's movements become more manic, so he sheds some of his humanity and begins to resemble a dummy. Lacking the strings that might restore co-ordination, the puppet is reduced to a permanent state of oscillation between striving

and collapse. He comes to seem merely frantic, a mannequin well-proportioned enough for a shop-window who has, inexplicably, spun out of control.

The filming has clearly been carried out for medical purposes, and the knowledge that the young man's torment is real only adds to the vicarious fascination. Gordon has edited and manipulated the footage for his own ends, doubtless heightening the patient's air of futility. He must want us to become engrossed in the utter modification of the figure's strivings — and to feel guilty about the perverse satisfaction involved in watching the man's pathetic manoeuvres so closely.

The guilt is compounded by a gathering realisation that the fall-

ing man may be a victim of the First World War. In another part of the space, a monitor installed halfway up the wall relays a second, far briefer video. Doubtless derived from the same grim archive, it shows an endlessly replaying clip from a film of a hand trapped in the act of firing a gun. Its whiplash restlessness contrasts absolutely with the slower, mournful tumbling of the figure still visible on the large screen beyond. But they share a sense of being locked into repetitive rituals completely beyond their control.

In the case of the hand, the title Gordon has given the work identifies it as a traumatic legacy of war: *Trigger-Finger*. The victim, unable to shake off the memory of shootings, finds himself re-enacting

them. Like a recurrent nightmare that poisons each fresh attempt to sleep, the moment of killing refuses to go away. It assaults the man's consciousness as remorselessly as the trauma plaguing the figure who cannot keep upright. In his case, the incessant need to duck and dodge hostile fire, whether in the trenches or out on exposed land leading to the enemy's lines, might have led him to acquire a chronic urge to stay on the ground. However much he may wish to stand up, the pain of accumulated memories forces his legs to surrender their strength.

This refusal to forget has connections with the main work upstairs at the Lisson, *Kissing with Sodium Pentothal*. A series of black and white slides, projected on to a white

wall, show moments from a performance using the so-called "truth drug". The embracing figures, printed in negative so that they are reduced to ghostly presences in a black room, all seem caught up in a relaxed, dance-like event.

But I felt excluded from whatever heightened emotions they were experiencing. Gordon does not involve the viewer in either mental or physical sensations, and that is why the tumbling man downstairs impressed me far more powerfully. Oblivion, a state explored by Gordon's earlier text wall-paintings, gives way in this shadowy chamber to a stubborn refusal to let go of the past. The writhing, toppling figure seems doomed to an eternity of remembering, years after the war itself has finished. I have a suspicion that his uncontrollable body will, in turn, haunt my mind for a long time.

● Douglas Gordon at the Lisson Gallery, 52 Bell Street, NW1 (071-724 2739) until Jan 21

## Oeuvre and over again

Sacha Craddock on how the face and function of the multiple has changed; plus other Glasgow shows

Glasgow's listings magazine, *The List*, suggested that people "say it with art" this Christmas. Eight artists were commissioned to make works specially for "Art Unlimited", an exhibition of "Multiples from the 1960s and 1990s from the Arts Council Collection" at the CCA.

One of the original intentions

behind the creation of multiples was to undermine the idea of the work of art as something unique. There was also a belief that through replication certain ideas could more easily and quickly spread. Much of this work is dependent on the significance, or insignificance, of the everyday; consequently, many of the multiples here are barely altered common objects.

The show is split between those made in the 1960s and those from the so-called "revival" of the 1980s and 1990s. The Arts Council, from whose collection this touring show is made, has often purchased multiples, both because of what they represent and because they are a good deal more reasonably priced than unique works.

The products of the ideologies and optimistic faiths of 30 years ago look very different now. It is difficult to recapture, for instance, the atmosphere that initially existed around Lijanne Lin's *Light Reflection* of 1968, in which abstract translucent shapes carry a certain timely optimism and a formal beatnik beauty. Other pieces in this section, beside the more famous illustrative work of Yves Klein and Claes Oldenburg, are like miniature variations on sculptural themes.

In the 1960s optimism surrounded the notion of mass production. The promise of mechanisation and reproduction were still something to be celebrated. Today's young artists have a different relationship to the future. A sense of self based on a unified and comprehensible history has been replaced by an under-ambitious stance born of generations of disillusion. The positive view of mechanisation and the belief in big artistic messages have given way to the joke: kinetic ready-mades, playful light pieces, abstract forms, funny plant forms, collapsed coat hangers, a map with a sound tape, soap, gloves and plastic sachets containing the ingredients of "David Cassidy's diet".

Today, the multiple is even more dependent on the name of the artist attached and on the fact that it is itself an "original". The newer works here often tend to play on already existing artistic situations. Richard Wilson's single gramophone record with the "water table" circle sunk into one side is a souvenir of an



Limited edition: Damien Hirst's Relationships (1991)

earlier project by the artist. Mark Wallinger's *A Real Work of Art* is a small trophy souvenir of a jointly-owned racehorse running under that name. Anya Gallaccio's *Couverture* is real chocolate in a labelled tin. Damien Hirst's glass of water and ping-pong ball with written instructions depends on a familiarity with earlier artistic explorations of the belief that the idea is the thing (rather than the thing itself).

Perhaps the revival of multiples in the 1980s and 1990s really arose out of a need for certain galleries to sell work and advertise artists. The limited or limitless edition became a shorthand souvenir, a tasteful more expensive art. The idea of the multiple art work as a shared "valueless" symbol of the anti-elite has been forgotten. While the question of reproduction versus the "unique" is now so familiar as to be almost a non-subject, the more recent multiples in this show are more dependent than ever on a particular kind of space, as well as on good faith and a well-lined pocket.

□ Eugenio Dittborn's paintings arrive by airmail. He sends his work from Chile all over the world. The current show at Transmission is a recent series of pictures on almost weightless fabric that simply opens out and then hangs on the wall. The imagery looks to have been through many layers of interpretation and reproduction and has a soft, blurred, worn quality. This rootless, floating reference to period and source shows Dittborn's changing relationship to Chile and the rest of the world.

*Transmission, 28 King Street, Longgate (041-552 4813) until Jan 21*

□ A thread runs through Ken Currie's "Glasgow History Paintings" uniting the huge set of works. Canally painted in subdued colours, their effect is of flickering early Soviet cinema rather than any contemporary experience. Liberty leads the people, victory is forged, welded, pushed and striven for. Thus is the labour history of a city constructed and made solid.

*City Museum and Art Gallery, Kelvingrove (041 221 9600)*

MUSIC ON TV: The BBC launches a feast of Purcell

## Odes to a Baroque master

The Purcell Year is upon us, and the BBC has quickly leapt into action with a series of events on New Year's Day that also heralded "Fairest Isle", the corporation's year-long celebration of British music. Let us hope that the festivities avoid jingoistic tub-thumping, that we do not get so carried away that we forget the context of our various native musics.

Purcell drew heavily from European traditions. But he was essentially his own man, a genuinely individual composer. Peter Holman's explanation of Purcell's dazzling contrapuntal ingenuity in the Sonata "Three Parts Upon A Ground" in an excellent BBC 2 documentary, *Purcell, the English Orpheus* — broadcast on Sunday just before the live relay on Radio 3 and BBC2 of a celebratory concert — told us something of his supreme technique. And in the same programme a snippet of Tippett talking about word setting in "Dido's Lament" demonstrated his genius for drama.

Rightly, much was also made of his adaptability under the various arts policies of succeeding monarchs. But in the end, as with all great artists, nothing and nobody can really pin down the reasons for Purcell's greatness. It simply is.

The concert itself, which took place in Inigo Jones's beautiful Banqueting House, the only surviving part of the palace at Whitehall where Purcell spent so much of his working life, proved a mixed affair, televisually over-ambitious. Robert King, who conducted, was shown between pieces in interviews with Nicholas Kenyon, controller of

Radio 3, pre-recorded at Hampton Court. (Kenyon also fronted the documentary and made the live concert announcements; I suspect that we will hear much of him this year.) These snippets seemed disruptive; a concert is a concert is a concert and is best shown as such.

Earlier in the day Radio 3 broadcast the official Purcell Tercentenary Concert, also the official opening concert of the

"Fairest Isle" season, given last November by the Taverner Consort and Players under Andrew Parrott at Kensington Palace before the Prince of Wales and appropriately beginning with the 1683 Ode for St Cecilia's Day, "Welcome To All The Pleasures". Good, clean, polite performances, allied to a certain stiff intimacy in the air, helped to recapture some of the essence of what it must have been like to work in royal demand.

Later, also on Radio 3, there was a newly recorded account of the great semi-opera *The Fairy Queen*, complete with all the spoken text, a late 17th-century bowdlerisation of Shakespeare. This was beautifully produced, with magically atmospheric, closely miked acting from a fine cast. But possibly only on the live stage can the gap between actors and the musicians (here the London Classical Players and the Schutz Choir of London under Roger Norrington) be successfully bridged.

STEPHEN PETTITT

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**OPERA:** Rodion Schedrin's musical version of Nabokov's celebrated novel fails to impress **Hilary Finch**

own. Yet these words carry no tone of voice. No sardonic humour is to be heard under the lugubrious groanings of Humbert; no evolving, shifting emotions through little Lo's pre-pubescent pater or adolescent gloom. The musical material is polarised between droning bass strings and high, closely-twined woodwind writing, with three or four recurrent and obvious motifs. It never functions as

Opera  
holm

ed into creating a little clutch of Dramatic Devices. Bjorn Haugan plays the omnipresent high-tenor Clare Quilty (Lo's true love and true abuser) who appears anti-climactically often in black beard and red silk, rather like a conflation of Mephistopheles and Peter Quint from *Turn of the Screw*.

There is a choir of censorious gentlemen in bowler hats who peer in through the back wall at every orgasm. And (oh, Lolita) there is even a flurry of

## RECITAL

# Fears

an intensity and passionate lyricism that made one impatient to hear the Bartók cycle scheduled by the Almeida Theatre n

The first movement  
mann offers all five  
opportunities to make  
ments sing, and each  
eagerly. I particularly  
eloquence with which

## JAZZ: The Prince King of

skilfully guided his six Giants of Five through a repertoire of more restrained fare.

Thus, in an unusual arrangement of Cole Porter's "Night and Day", Gelato gently crooned the melody over his band's tasteful but bustling backing, and allowed Alan Nicholls the space to provide some plangent alto comments, but he was soon back in his



formance of 25-year-old opera student Lisa Gustafsson as Lolita and baritone Per-Arne Wahlgren as Humbert. In a mesmeristic neon-landscape of free-ways and motels, with Mobil's scarlet Pegasus riding over gleaming phalloid tipsticks, each poignant gesture of hand, head and shoulder, so lovingly lazily by Nabokov and so gleefully ignored by Schedrin, is

**ry concert** of such risk of 1

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intensity and **Brindisi Quartet** subject group

## Brindisi Quartet Wigmore Hall

## Brindisi Quartet Wigmore Hall

As for the Mozart, the Brindisi's account was one of consummation.

**BARRY  
NGTON**

\_\_\_\_\_

was one of Prima's best **Ray Gelato and the** natured stage banter can

depressible role, urging the band along with skull-shaped brasses, and shouting "Come on, Clark!" to introduce a muffled bass solo from the hard-mannered Clark Kellogg (real name Anders James). Kellogg was the case with Primus: he hid his strident trumpet playing behind Gelato's rumbustious showmanship and good

depressible role, urging the band along with skull-shaped brasses, and shouting "Come on, Clark!" to introduce a muffled bass solo from the hard-mannered Clark Kellogg (real name Anders James). Kellogg was the case with Primus: he hid his strident trumpet playing behind Gelato's rumbustious showmanship and good

It was the un-termino Prima

PARKER

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*(continued from page 6)*

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1010 spectrophotometer. The concentration of chlorophylls was expressed in mg g<sup>-1</sup> of dry weight.

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1

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1601 UV-Visible Spectrophotometer.



189.30	Castle Farnish	805	...	0.9	40.8	Source: Fitch
2.96	Crown Eyel	195	...	6.3	8.0	• US\$1.4B Price at acquisition; 1 Ex dividend; 1 Ex acq;
283.00	DPS Furniture	772	...	3.3	...	• Ex 100% acq; 1 Ex 50% Ex capital distribution
745.00	Duquesne Gas	180	+ 2	4.2	20.2	• Figures in report audited. • No significant date
6.96	Eyes (Walmart)	583	...	3.8	37.2	Corporation in bold are constituents of the FTSE 100 index







For British masochists, the annual *World Bank Atlas* is, these days, a new year treat. Based on income, it regularly shows that Britain is no longer one of the great economic powers. This year, the old country comes 20th in terms of gross national product per head, comfortably the poorest of the Group of Seven. An alternative measure, corrected for supposed differences in domestic purchasing power of money, moves Britain up to 19th, surprisingly just ahead of Sweden. But that still leaves income per head lower than other main Western European economies, except Spain.

These figures are for 1993, so there could be a pleasant surprise in 12 months' time. Continental economies in the places ahead, such as The Netherlands and Italy, did not grow as fast as the UK in 1994. We have clearly been doing some things right. Britain has held its own against other established industrial countries over the past five years. There is no need to panic.

The bad news is that all European Union countries, except Germany and Luxembourg, have meanwhile been overtaken on the purchasing power measure, by both Singapore and Hong Kong. Equally provoking, at the opposite extreme, is that most of the world is still so far behind. Even allowing for cheaper local living conditions, the income of the average Briton is 3½ times as big

## A new year message from the World Bank



GRAHAM SEARJEANT

as a Russian's, eight times that of the average mainland Chinese and 14 times an Indian's. These are three of the world's most populous and potentially powerful economies. They desperately need to reform and progress. They are not standing still. Nor are medium-sized economies in between these extremes, such as the Czech Republic and South Africa.

The best new year message might be to raise our sights beyond the familiar domestic economic horizon for a moment. Let Eddie George and Howard Davies worry about the niceties of the British economy. They are erratic drivers but should stay on roughly the right road. The rest of us might learn something from what is going on abroad beyond distrustful Brussels or blindly aping America.

One message from the World Bank's income league tables is that small can be rich as well as beautiful. Singapore says more about this than Hong Kong. Lee Kuan Yew and his disciples aimed to turn the island into the Switzerland of Asia — not a bad ambition when Switzerland and Luxembourg, its

EU equivalent, fill two of the top three places. Singaporeans cleaned up the financial system, educated a generation to world standards and created a stable suburban home for regional headquarters. More questionably, and with costly errors, they westernised themselves off the cheap-labour industries that gave them a start, wooing high technology multinational businesses. Only a small economy could be simple enough to do that, to have a mission and to pull all the levers in the same direction. If the City of London could become a city state, it might soon

make the Swiss look poor. But if a British government pulled all the policy levers to promote the City's interest, much of the rest of the economy would go haywire. Many people outside London still suspect something of that sort happened.

By contrast, Scotland and Wales, conceivably Northern Ireland, really could become separate, focused — or at least bifocal — economies within the European Union. Each has a mission of renewal, industrial expertise and cultural drive. Each is compact enough to put its efforts behind a few key sectors of comparative advantage. Indeed, only by becoming centres are they likely to break peripheral financial dependence. True, each also has the historic pride and potential for parochial squabbling to follow Greece rather than Singapore. But if policies permitted, Scotland on its own ought to do as well as Nordic countries and climb up the league.

The other message, from both new rich and old poor, is that there is no long-term future for us in relying on cheap labour. Wages are lower in Britain than most of the Community,

so we might just as well take advantage to help to attract manufacturers from outside who need a base. They are a lodestar for the economy, replacing zones of decline with expansion and rescuing the trade balance. Would that home-grown groups invested as much, showed such confidence and took such risks.

The attraction of cheap labour can, however, be only temporary. There will always be places with lower wages within the EU. And cheap-labour countries outside it will, sooner or later, develop the skills to penetrate its barriers. With luck, some sectors of inward manufacturing will build up the comparative advantage that has attracted overseas banking, insurance broking, publishing, communications and drug companies to Britain.

These are winning industries that the State should promote in Brussels and beyond. They should also be aping inward investors, by investing more in new, cheaper, centres, not selling out or sticking to mature low-risk economies. This too is happening. Britain now has a world-class process engineering group as well as top drug firms and international media groups. Privatised water, gas and power firms are selling their expertise, even investing, in developing countries. The elements of a high-quality economy are reappearing. Far more needs to be done if those World Bank tables are ever to spare our blushes.

## Reality tames new issue frenzy

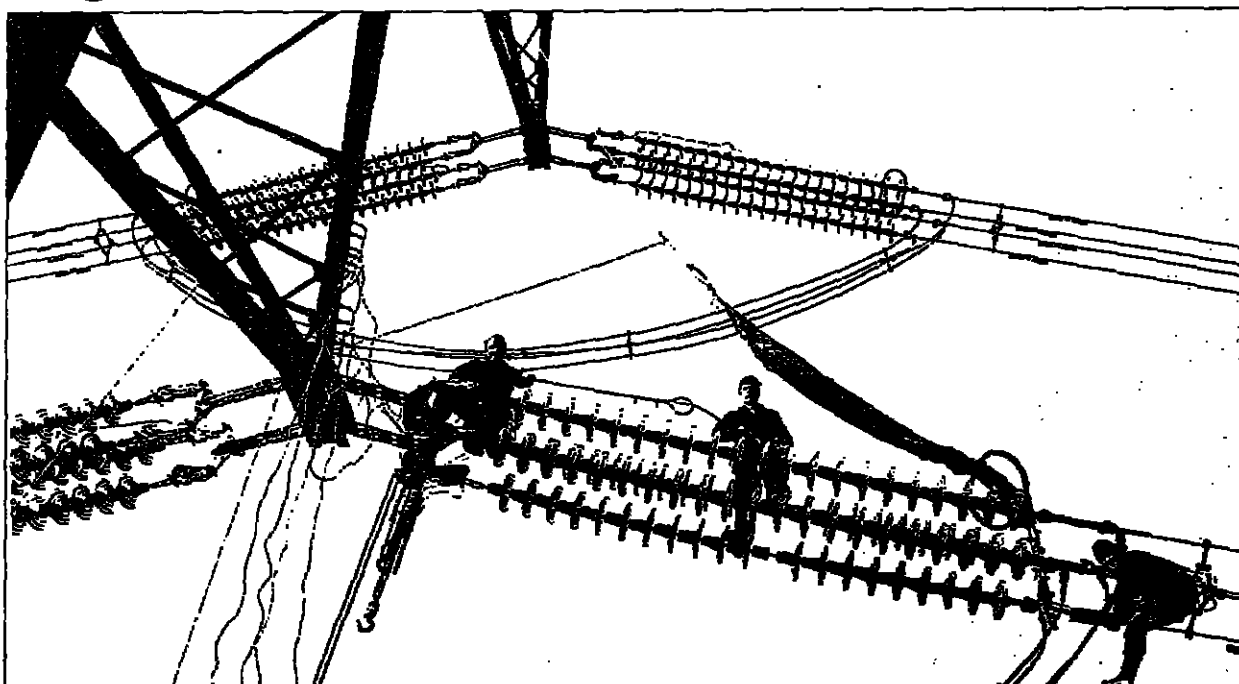
Bumpy rides have made investors more cautious about market debutants, reports Martin Waller

Last year was the year that the pigs refused to be driven to market. Investors stood back after a clutch of well-publicised disasters among companies that had, months earlier, been sold to them bearing the imprimatur of some of the City's most respected names.

This, and uneasy market conditions, conspired several times in 1994 to create a virtual buyers' strike, a refusal to take on any more of the flood of companies joining the market.

On the other hand, the wild gyrations of the stock market over the year meant that at times, when the various indices were riding high, the market was highly attractive to new issues. In February, the FT-SE stood above 3,500; by June it had plunged below 2,900, investors were getting cold feet and some flotations were being pulled.

While larger issues, such as 3i, the investment group, and BSkyB, the satellite broadcaster, had little difficulty in joining the stock market, a number of runners fell at the first hurdle. These included BPC, the printing group, which succumbed to poor market conditions as much as any-



National Grid, although not issuing new shares, is likely to be 1995's main market newcomer as flotation activity eases

thing. New Look, the fashion retailer, which drew concern that rapid growth could not be maintained; and the brewer Ushers of Trowbridge.

The latter showed the dangers of the rush to go public inspired by the occasional foray by the stock market into previously uncharted territory and rich pickings, therefore for management and existing shareholders. The brewer and its advisers unwisely tried to paper over the cracks, insisting that the projected loss of a contract to take two thirds of output from next year could be replaced. A more cautious City

disagreed, and the float was pulled on December 1, the day the prospectus was due out.

Investors were becoming more canny. They had also had their fingers burned by several issues that have slipped into City folklore for the sheer speed with which a sparkling prospectus and the raising of fresh funds were followed by share-faced admissions of business failure.

Granted the effort spent in ensuring that prospectuses reflect the truth, with costly lawyers and accountants checking the last nit-picking detail, investors left holding the shares when bad news comes can reasonably feel that the system has failed them.

There was institutional anger at the Aerostructures Hamble saga, for example. This small aerospace components company came to market in June, saved from obscurity only by the presence of Lord King, former chairman of British Airways, on the board. Appointing such a luminary can only have been intended as reassurance to investors: their confidence, however, was misplaced. Two serious profit warnings since June left the shares, sold at 120p, languishing at a quarter of this by the year end.

The story was similar at Canadian Pizza, a food manufacturer, floated at £2 a share in November 1993, which ended 1994 at 70p after a second profit

warning, and Coda Group, an accounting software producer worth 235p a share in February and 77p, two warnings on, as 1994 closed.

Any fund manager unfortunate enough to hold this trio begins 1995 with less enthusiasm for flotations. "There has been a fundamental change in the market," says Neil Austin, head of new issues at KPMG Corporate Finance. "For a while it was possible to float almost anything although it was always a matter of price — if people didn't particularly like it, you reduced the price."

"But now, investors are saying, 'If we don't like the company, we're not going to buy the shares at any price.'"

Several conclusions can be drawn from new issues expected this year. Three are chemicals companies, taking advantage of the upward swing of the world chemicals cycle. Another five have been on the slipway before, but

were held back by market conditions or a buyers' strike. Gardner Merchant, bought out by management from Fortis, a hotel combine, for £400 million, conceded in the autumn that flotation at £600 million was not in prospect, and insisted that there was no rush, although figures in the spring would provide an opportunity. Some observers feel that a trade buyer may snap up the company before then.

General Cable pulled the plug in the summer, but will try again, emboldened by the successful float of its larger rival, TeleWest. Martin Retail and Brightreasons, Michael Guthrie's Pizzalain chain, pulled up short in the autumn but have no reason to return. The return of Oasis, the fashion business, looks more problematical. Clothes retailers are not flavour of the month after the New Look de-

bacle and the travails of Alexon.

Less likely to return for a while are Ushers and New Look. It is one thing to postpone, citing market instability, but it concerns over fundamental problems in the company cause postponement, these can be even harder to explain away a second time.

The main new issue of 1995 is probably also the most secure investment. National Grid is being floated by its 12 owners, the regional electricity companies in England and Wales, not long after another key sale in the sector, the Government's remaining 40 per cent of the two generators. However, the Grid, a yield stock and a natural home for private investors' money, is in no need of fresh funds and is, alas, not issuing new shares. The shares will probably be handed out *pro rata* to existing shareholders in the regional companies.

Fewer small companies are likely this year to risk a float. An important development will be the expected launch in June of the Stock Exchange's Alternative Investment Market, intended for smaller, high-risk stocks, such as a proven record or a bio-tech company still some years from profit. The intention, in due course, is for the AIM to replace the Unlisted Securities Market as the quoted company kindergarten.

The fear is that the AIM will be seen as a second-best route to the public arena and so will not give existing shareholders, such as venture capital companies and management, as high a return as a full listing, in which case it may never get off the ground.

Neil Austin says: "If it doesn't work properly and there is a big discount for companies on the AIM, then there will still be a tendency to push companies on to the full list."

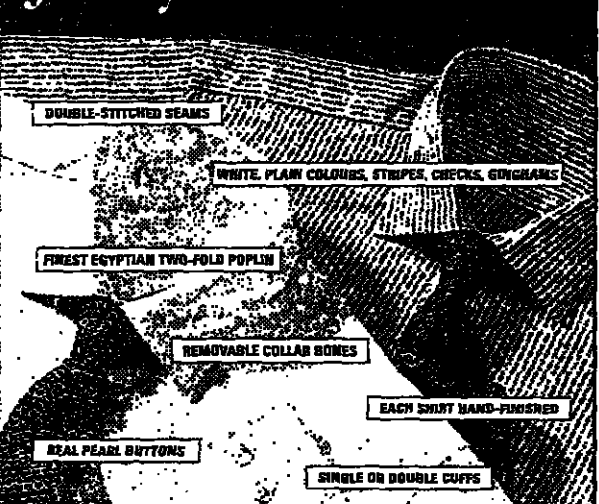
Mr Austin thinks that the new realism will stop 1995 setting records for market debutants, which may mean fewer singled fingers. In particular, investors are fighting shy of companies where families or long-time institutional holders are unloading big chunks of their holdings, and of smaller, speculative stocks.

"Healthy scepticism" is deterring the "more doubtful" new issue activity, Mr Austin says. But he cautions: "Eventually it will come back. People have short memories."

### FIRMS EYING FLOTATION IN '95

	Work
National Grid	£42m
Albright & Wilson	£300m
Gardner Merchant	£300m
General Cable	£300m
BPC	£400m
Brunner Mond	£250m
Martin Retail	£100m
Morson	£70m
Brightreasons	£70m
Oasis	£50m
Electricity distribution	£42m
Specialised chemicals	£300m
Concord catering	£300m
Cable TV and telephony	£300m
Specialised chemicals	£400m
Sea salt	£250m
Newsagents/convenience stores	£100m
Fashion retail	£70m
Pizza restaurants	£70m
Fashion retail	£50m

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### Bootlegger's charter

JOHN Young, head of the independent Young's Brewery in Wandsworth, south London, is so incensed by the Government's policy on beer duty that he has produced price lists openly accusing Kenneth Clarke, the Chancellor, of helping cross-channel bootleggers. He has emblazoned the words "Chancellor's bootlegging surcharge" in large red letters about the new prices, which came into effect on January 1. Young, who has been at the forefront of a national campaign to persuade our Ken to cut duty, said: "Illegal imports of beer from the Continent are running at a million pints a day. Duty on beer in Britain is a scandalous seven times higher than in France, and the

Chancellor's greed is threatening thousands of jobs while many of Britain's valued pubs face permanent closure."

CLASSIFIED advert in The London, published in Rapid City, America. "SKs, like new. Used only three times — mostly while lying down."

### Early claim

FROM a piece for the unemployed in *The Sheffand Times*: "To ensure prompt payment, and to avoid possible loss of benefit for not claiming on time, you should ensure that you contact the Jobcentre on the first day you are unemployed, or earlier if possible." Don't all rush!

### Futures shock

FINANCIAL chaos is hardly new to Italy, but some

harmful traders have managed to set what must be a record. In November, the Milan stock exchange launched an electronic screen-based futures trading system to track the FTSE30 index, Italy's answer to the FT-SE 100. The principle is quite simple: you input how much you want to buy and wait for the computer to match trades electronically, but the technology, it seems, has proved too much for some of the exchange's dealers. Faced with an order to buy two futures contracts at 13,500 — the value of the FTSE30 index — a dealer accidentally entered instructions to buy 13,500 contracts at a value of 2. The effect was to drive the entire index down to a value of just 2 points — and this has now happened on three occasions. The Milan stock exchange had to declare the

trades null and void to avoid forcing two major Italian banks into receivership.

### PC technology

SO MUCH for modern technology. One of the first texts to be drafted on the new state-of-the-art computer system belonging to First Financial, the PR firm, was a press release which concerned the opening of an office on the Isle of Man by Greig Middleton, the stockbroker. The draft passed the "spellcheck" with flying colours. However, when it came to the "grammar check", the computer highlighted the word Man and flashed up the warning: "Gender-specific term." It suggested as possible alternatives "person, human being or individual".

COLIN CAMPBELL

## Violence, on and off screen

The Violence Files. Radio 4, 7.30pm.

Since academics, psychologists, sociologists and criminologists are still divided over what sins we should lay at the door of violent films and videos, the journalist Edward Stourton can scarcely be blamed for making a definitive judgement. This is the first of his three investigations into the beast in man. His starting point is this series' survey of 1,000 adults whose views were sought on possible links between violence on screen and violence in real life. In themselves, statistics do not prove cases. But when they are put in the scales along with social dilemmas that are well-documented, verdicts such as those offered tonight cannot be dismissed as simplistic. Next week's edition should be even more interesting: the sins of the media will come under Stourton's microscope.

The Otherworld Child. Radio 4, 2.00pm.

David Calcutt is a Black Country man, and it is among the region's rich stock of folk-tales that he has found the idea for his short play about supernatural cause and effect. It is not the first time a folk-tale has inspired a Calcutt play. With a frisson of pleasure, I remember *The Daughter of the Sea*. There is no doubt that he has a remarkable talent for reanimating legends in down-to-earth days. His new play explains why a new-born child carries scratch marks all down its face. The veteran actress Mary Wimbush is the attention-grabbing storyteller. Peter Daville

### RADIO 1

PM Stereo, 4.00pm Bruno Brookes 6.30 Kevin Costner 8.00 Simon Mayo 12.00 Lisa (Aston, including at 12.30) 12.45pm Newsbeat 2.00 Nicky Campbell 4.00 Mark Goodson, including at 5.30pm Newsbeat 7.30pm Evening News 8.00 News, Contours and Body Home: The Fender Stratocaster 40th Anniversary Celebration. Bob Harris explores the life of Leo Fender, the man who built the instrument that became the sound of rock 'n' roll (1/3) 10.00 Mark Radcliffe Midnight Lynn Parsons

### RADIO 2

PM Stereo, 6.00am Sarah Kennedy 6.15 Pause for Thought 7.30 Wake Up to Wogan 8.45 Pause for Thought 9.20 Steve Jones, including at 10.00 Pick of the Hits 11.30 Jerry Young 12.00pm Fiona Armstrong 3.30 Ed Sewart 5.00 John Dunn 7.00 Hayes Over Britain 8.30 Mr Fitchley Goes to Paris (1/3) 9.00 Only a Woman's Heart. Tony McManley celebrates the release of the follow-up collection to the 1992 Irish music album, A Woman's Heart 10.00 Explorer 12.30 The Jamieson 12.55pm Steve Madden 3.00 Alex Lester

### RADIO 5 LIVE

Midnight Test Match Special 7.00am The Breakfast Programme, including at 8.55 and 7.55pm Preview 8.55pm Magazine, including at 10.15pm Health and Fitness Campaign: 10.35pm Euronews: 11.00pm Daily News 12.00pm Midday with Mark, including at 12.45pm Liz Searcy 6.00pm Choice Reports 7.00pm The Opera Guide 8.00pm Evening Concert 10.00pm Michael Mappin 1.00am André Leon

### RADIO 3

5.55am Weather 7.00 On Air, with Andrew McGregor, Locke (Curtain tune in C); Holst (Dances, The Morning of the Year Op 45 No 2); Mahler (Ballet Music, Le Cid); Chopin (Bolero in A minor, Op 19); Debussy (Concert de Nocturnes, Symphonies pour les soupers du roi); Mendelssohn (Violin Concerto in E minor, Op 64); Maxam Yungberg; Leipzig Gewandhaus Orchestra 9.00pm Composers of the Week: The Elton Chorbok 10.00pm Musical Encounters, with Mark Nicholson, Bach, ar Stokowski (Sheep May Scape, Grazzi); Tallis (Locusauntur verba in anglic); Messiaen (Jésus accepte la souffrance); Les anges, La Nativité du Seigneur; Debussy (Prélude à l'après-midi d'un faune); Howells (Take Him, Earth, for Cherishing); Arensky (Quartet in A minor); Ravel (Piano Concerto in G); Casals (Quintet in D minor); Chopin (Polonaise in F sharp minor, Op 44); Ronan O'Hara, piano 12.00pm Music Restored: How traditional French Christmas music transferred to the 18th-century salon (1) 1.00pm The BBC Orchestra: BBC Philharmonic under Stephen Kovacevich, with Thomas Zehetmair, violin; Heinrich Schenker (Violin Concerto in D; Symphony No 3 in E flat, Eroica); 2.35pm Britten Quartet, with Iwan Llewellyn Jones, piano, performs Schumann (Quintet in E flat, Op 44); Richard (String Quartet No 2); Brahms (Quintet in F minor, Op 94)

### RADIO 4

5.55am Shipping Forecast 6.00 News Briefing, incl 6.05pm Weather 6.10pm Farming Today 6.25pm Prayer for the Day, with the Rev Billy Buchanan 6.30pm Today, incl 6.30pm, 7.30pm, 8.00pm, 8.30pm News 8.45pm Business News 8.55pm Weather 9.00pm News 9.05pm Call Nick Ross: 071-500 4444 10.00-10.30pm News; Starting in Stockport (PM only); John Inman reveals the secrets of canaries 10.30pm Daily Service (LW only) 10.15pm Children's Radio 4 (LW only); The Willows in Winter, by William Horwood (5/8) 10.30pm Woman's Hour, introduced by Jenni Murray, Serial Spill Star by Agnes Rose (1/10) 11.30pm Medicine Now, presented by Geoff Watts 12.00pm News; You and Yours, with Michael Colly 12.25pm Home Chairman Tim Brooke-Taylor tries to spot the hidden among panelists Ray Cooney, Peter Jones and Denis Norden 12.55pm Weather 1.00pm The World at One, with Nick Clarke 1.40pm The Archers (1.55pm Shipping Forecast 2.00pm News; Thirty Minute Theatre: The Otherworld Child. See Choice 2.30pm Personal Records: Jeremy Nicholas explores the record collection of Malcolm Williamson, master of the Queen's music, in search of musical and personal revelations 3.00pm News; Anderson Country

### WORLD SERVICE

All times in GMT. 4.30am BBC English 4.45pm Newsbeat 5.00pm Newsbeat 6.00pm Newsbeat 6.30pm Newsbeat 7.00pm News 7.15pm Oscar and Lucinda 7.30pm Newsbeat 7.45pm Newsbeat 8.00pm News 8.10pm News of Faith 8.15pm Concert Hall 9.00pm News 9.05pm Business Report 9.15pm Points of Place 9.30pm On Screen 9.45pm Sport 10.00pm News 10.01pm Discovery 10.30pm The Story of Western Music 11.00pm Newsbeat 11.30pm BBC English 11.45pm Newsbeat 12.00pm News 12.15pm Concert Hall 1.00pm News 2.05pm Outlook 2.30pm Oscar and Lucinda 2.45pm Renaissance Gold 3.00pm News 3.15pm A Jolly Good Show 4.00pm News 4.15pm BBC English 4.30pm Heide Alzei 5.00pm News 5.05pm World Business Report 5.15pm BBC English 5.30pm News 5.45pm Outlook 7.30pm Andy Kerr's World of Music 8.00pm News 8.10pm Words of Faith 8.15pm The World Today 8.30pm News 8.45pm News 10.05pm World Business Report 10.15pm Megatrix 10.45pm Sport 11.00pm Newsbeat 11.30pm The Story of Western Music 12.00pm News 12.15pm Concert Hall 1.00pm News 1.05pm Outlook 1.30pm Crisis in the Family 1.45pm Country Style 2.00pm Newsbeat 2.30pm World of Music 3.00pm News 3.15pm Sport 3.30pm Discovery 4.00pm Newsbeat

### CLASSIC FM

6.00am Nick Bakay 9.00 Robert Booth 12.00pm Susanah Simons 2.00pm Lunchtime Concert: Glenn Gould (Colours) (Soprano Concerto) 3.00pm Jangle Cuts 6.00pm Choice Reports 7.00pm The Opera Guide 8.00pm Evening Concert 10.00pm Michael Mappin 1.00am André Leon

### VIRGIN

5.00pm Paul Coyle 9.00 Richard Skinner 12.00pm Graham Dene 1.00pm Wendy Lloyd 7.00pm Paul Coyle 11.00pm Nick Abbot 2.00-6.00am Jany Lee Grace

RADIO 1: FM 97.6-99.8, RADIO 2: FM 88-90.2, RADIO 3: FM 90.2-92.4, RADIO 4: 1984-1515m, FM 92.4-94.6, LW 198, RADIO 5: 659-643m, 659-643m, LONDON RADIO: 12.1-12.25m, 97.3, CAPITAL: 1548-12/194m, FM 95.8, GLR: FM 94.9, WORLD SERVICE: MW 648-648/483m, CLASSIC FM: FM 100-102, VIRGIN: MW 1215, 1197, 1242 kHz. Listings compiled by Peter Dear and Gillian Massey



# Drama enough without making them clash

On paper, it looked like a conspiracy. Hide that rude Andrew Davies somewhere quiet on BBC 2 (yes Michael, just before *World Darts* will do nicely) and then let fly with both barrels in the evening. No good drama on British television eh, Mr Davies? Take that — *A Mind to Murder* (ITV) — and that — *The Blue Boy* (BBC 2). The controllers strike back.

But on paper, at least on the pages of the *Radio Times*, it also looked like a bit of a cock-up. Having rightly earned a critical savaging for their lacklustre Christmas offerings (and let's face it, lustre was just one of a long list of vital components that were lacking) the BBC and ITV managed to make it two nights running of making drama against drama. On Sunday night, it was *Poirot* v *Cold Comfort Farm*. Last night it was Adam Dalgliesh v Emma Thompson. At this rate both

networks will have spent their entire 1995 drama budgets by the end of January and we'll all have run out of video tapes. A possibility, I expect, which will probably make Andrew Davies even angrier. The creator of *A Very Peculiar Practice* and adapter of *House of Cards* is not a happy man, as he made clear in the *Haw Wheldon Memorial Lecture* (BBC 2) to the Royal Television Society, Davies is of the opinion that when it comes to television drama both the BBC and ITV are aiming too low. "Drama should be all about making a masterpiece, not chasing tired old shows downmarket after ratings."

This was one of those very peculiar television occasions. Taking as his title "Prima Donna and Job Lots", Davies wanted us to be in no doubt as to which category he fell into. Combining a blue suit, a shirt, a mustard yellow jacket and a snowy white collared shirt, he looked... well, he looked like an awful lot of successful, middle-aged men in television do. Very peculiar. His increasingly acerbic comments were interspersed by cutaway shots of members of the celebrity audience, prompting many of them to adopt a worried looking, fixed grin — just in case.

When he wasn't having a go at the powers-that-be at the BBC and ITV or lamenting the obstacles placed in the path of young writers, his basic theme was that "life is far more peculiar than the official version". Paying due homage to the likes of Pinter, Beckett and, of course, Davies, he concluded that "all the best television drama transcends tele-naturalism". Cutaway to another, suitably unnatural grin. No one actually burst into song or had a close encounter with a pair of gratuitous nuns in either *Mind to Murder* or *The Blue Boy*,

and, by and large, was beautifully acted, led by Roy Marsden, playing Dalgliesh for the eighth time. Now, at this point I had made a note to regale you with some witty observations about one character in particular, an individual of such towering improbability that he or she just had to be a red herring. Sadly, the individual in question turned out to be not so much red herring as red handed (very red handed by the end) so I won't. Far be it for me to spoil anyone's video-deferred pleasure. But here's just one clue: if you think the height of improbability is a paranoid schizophrenic who's a dead-shot with a bow and arrow and knows Dalgliesh's poetry by heart, think again.

The cleverly updated but still somewhat old-fashioned detective tale succeeded despite a serious flirtation with cliché. Apart from a climax straight out of *The Hound* of the Baskervilles, my favourites were Dalgliesh muttering: "It's the eyes — there's something about them" and the sausage-roll-munching pathologist's postscript: "One more thing — somewhere along the line she'd had a child."

## REVIEW



Matthew Bond

which was a relief in the former and a bit of shame in the latter. A singing ghost might have cheered Emma Thompson up a bit. Like *Poirot*, *A Mind to Murder* (ITV), the latest encounter with Commander Adam Dalgliesh, provided further proof that the British film industry is alive and well and living on television. It was beautifully shot, made the most of some beautiful East Anglian scen-

ery and, by and large, was beautifully acted, led by Roy Marsden, playing Dalgliesh for the eighth time. Now, at this point I had made a note to regale you with some witty observations about one character in particular, an individual of such towering improbability that he or she just had to be a red herring. Sadly, the individual in question turned out to be not so much red herring as red handed (very red handed by the end) so I won't. Far be it for me to spoil anyone's video-deferred pleasure. But here's just one clue: if you think the height of improbability is a paranoid schizophrenic who's a dead-shot with a bow and arrow and knows Dalgliesh's poetry by heart, think again.

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Murton didn't so much flirt with ghost-story cliché as devour it. Strange looks were exchanged, hand-held cameras suddenly started moving from room to room and single notes on the soundtrack were extended until kindly percussionists came tinkling to their rescue. Ghostly flashbacks, of course, were blue.

- BBC1**
- 5.00 Business Breakfast (18574)
  - 7.00 BBC Breakfast News (18969118)
  - 9.05 Bucky O'Hare (1) (4341408) 9.30 Joe 90. Puppet adventures of the boy genius (70528)
  - 10.00 News (Ceefax), regional news and weather (102832) 10.05 Playdays (s) (4518834)
  - 10.30 Good Morning with Anne and Nick (10864)
  - 12.00 News (Ceefax), regional news and weather (768689) 12.05 Pebble Mill with Alan Titchmarsh (s) (3854845) 12.55 Regional News (7804609)
  - 1.00 One O'Clock News (Ceefax) and weather (2282)
  - 1.30 Neighbours (Ceefax) (s) (9178338)
  - 1.50 Time Keepers. Quiz presented by Bill Dod (s) (9179154)
  - 2.15 FILM: Carry On Don't Lose Your Head (1966). The Carry On team tackle the French Revolution through the endeavours of the Black Fingert. A rescue mission of the French aristocracy from the guillotine. Directed by Gerald Thomas (297512)
  - 3.50 Jackanory. Josie Lawrence with part one of James Andrew Hall's *Foot Post* (4363057) 4.00 Willy Fog (Ceefax) (8220185) 4.25 Gimmity. A new animated series (8525116) 4.35 The Worst Day of My Life. The story of a young man embarrassed by his hippy parents (1). (Ceefax) (489338)
  - 5.00 Newsround (982232)
  - 5.10 Grange Hill. The new first year comes in a day before term starts — only there seems to be one extra. (Ceefax) (s) (957116)
  - 5.35 Neighbours (1). (Ceefax) (s) (284390)
  - 6.00 Six O'Clock News (Ceefax) and weather (39)
  - 6.30 Regional News Magazines (61)
  - 7.00 Holiday. Jill Dando visits Florence, Richard Wilson tours the Australian outback on a Harley Davidson, Kathy Taylor goes on a self-catering holiday in Java on Spain's Costa Blanca and John Pinner catches up with Annie, a seasoned Eastbourne holidaymaker. (Ceefax) (s) (8798)
  - 7.30 EastEnders. (Ceefax) (s) (45)
  - 8.00 FILM: The Hunt for Red October (1993) starring Sean Connery, Alec Baldwin and Scott Glenn. Gripping underwater Cold War thriller about the commandeering of a top secret Soviet nuclear submarine making for the east coast of the United States. Both the American and Soviet fleets go in search of the vessel whose intentions are unknown. Directed by John McTiernan. (Continues after the news) (7393)
  - 9.00 Nine O'Clock News (Ceefax), regional news and weather (1929)
  - 9.30 FILM: The Hunt for Red October continued (9584512)



Midfield player Joanne Broadhurst (10.40pm)

- 10.40 The Belles. A portrait of the Doncaster Belles, one of the best women's football teams in the country (356390)
- 11.30 FILM: The Hill (1965, b/w) starring Sean Connery. Hairy Andrews is a sergeant about to be sentenced to a brutal regime in a North African military prison camp. Directed by Sidney Lumet. (Ceefax) (58980) 1.30 Weather (8018991)

## VARIATIONS

- ANGLIA**
- As London except 9.55-10.00 Anglia News (18969118) 12.05-12.30 Anglia News (768689) 1.55-2.00 Country Practice (91781593) 2.55-3.00 Blackadder (442621) 3.05-3.10 Anglia News and Weather (597483) 3.10-3.40 Shortland Street (3471889) 3.45-3.50 Anglia News followed by Anglia (489338) 7.30-7.45 Anglia News (102832) 7.50-8.00 Anglia News (102832) 8.05-8.10 Anglia News (102832) 8.15-8.20 Anglia News (102832) 8.25-8.30 Anglia News (102832) 8.35-8.40 Anglia News (102832) 8.45-8.50 Anglia News (102832) 8.55-9.00 Anglia News (102832) 9.05-9.10 Anglia News (102832) 9.15-9.20 Anglia News (102832) 9.25-9.30 Anglia News (102832) 9.35-9.40 Anglia News (102832) 9.45-9.50 Anglia News (102832) 9.55-10.00 Anglia News (102832) 10.05-10.10 Anglia News (102832) 10.15-10.20 Anglia News (102832) 10.25-10.30 Anglia News (102832) 10.35-10.40 Anglia News (102832) 10.45-10.50 Anglia News (102832) 10.55-11.00 Anglia News (102832) 11.05-11.10 Anglia News (102832) 11.15-11.20 Anglia News (102832) 11.25-11.30 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# BUSINESS

TUESDAY JANUARY 3 1995

BUSINESS EDITOR LINDSAY COOK

## General Accident to cut bonuses

BY ANNE ASHWORTH  
PERSONAL FINANCE  
EDITOR

GENERAL Accident Life will reveal cuts in the bonuses on some of its life and pension policies today. There are no plans, however, to advise home buyers with endowment policies to increase their premiums.

According to a spokesman: "Policyholders should not be unduly concerned over their ability to repay their loans."

Lower inflation and poor investment returns in 1994 are blamed for the cut from 4 per cent to 3.75 per cent in annual bonuses on conventional with-profits policies, which embrace the company's mortgage business.

The bonus paid on bonuses already declared in respect of with-profits policies will be held at 6.75 per cent.

GA is the first life company to report its bonus rates, with others expected to disclose similar set-backs. Mike Urmon, the company's chief actuary, said: "There is no escaping the fact that the economic situation has changed."

The bonus on the sum assured in respect of with-profits self-employed pensions (no longer sold) is down from 7.5 per cent to 7 per cent, while the payment on bonuses already declared is also cut half a point to 9.5 per cent.

The impact of falling maturity bonuses on with-profits endowments is shown by the payouts on policies maturing this month.

The payout on a £50-a-month with-profits ten-year policy is cut from £11,065 (representing an annual yield of 11.8 per cent in 1993) to £10,388, for an annual yield of 10.6 per cent. Holders of 25-year policies fare better, with the payout on a £50-a-month policy falling from £110,639 (annual yield 13.6 per cent) to £108,052 (annual yield 13.5 per cent).

Bonuses on GA's newer unutilised with-profits policies have been held, with the annual bonus on life policies remaining at 7.5 per cent. The unutilised with-profits pension bonus rate is 9.5 per cent.

Life rules, page 29

## Maurice Saatchi severs links with agency

BY MELVYN MARCKUS, CITY EDITOR

MAURICE SAATCHI, doyen of the UK advertising scene, has decided to reject the overtures of Saatchi & Saatchi's directors, who will be informed early today that he intends to sever his links with the agency he founded.

Mr Saatchi told *The Times* yesterday: "I have decided to say no." His "no", to a board led by Charles Scott, chief executive, which ousted him as chairman last month, will be delivered with measured panache. Mr Saatchi has, in his words, "prepared a short memo". The memo, to Graham Howell, the company secretary, consists of two short sentences and reads as follows: "Please inform Mr Herro that I do not accept his offer. It was kind of him to consider me for the position."

Mr Saatchi's sarcasm reflects his view that Mr Scott and his co-directors have effectively handed backdoor control of Saatchi & Saatchi to David Herro, a Chicago-based fund manager.

Mr Saatchi refused to comment on whether he planned to set up a rival agency to the global combine which he founded with his brother, Charles, in 1970. "I am taking one step at a time," he said.

Speculation has been rife that Mr Saatchi and his brother — currently considering his own position — may open a boutique agency. This is now perceived as unlikely. Mr Saatchi, a passionate proponent of "global" advertising, is thought to be more interest-

ed in the possibility of joining forces with another international agency.

During a marathon eight-hour board meeting last month, Mr Saatchi resigned as chairman and a director of the agency. Saatchi & Saatchi's directors offered him an ongoing role as chairman of Saatchi & Saatchi Advertising Worldwide, the company's principal operating subsidiary. He was also offered a 50 per cent salary increase to £300,000 and the title of joint president (alongside Charles) of the parent company. Mr Saatchi said that he would "consider his options" over the holiday period. The agreed deadline expires today.

News of Mr Saatchi's decision to walk is expected to impact unfavourably on Saatchi & Saatchi's share price when trading resumes this morning. Late last week, the quote rallied 5p to 199p on incorrect rumours that the Scott/Herro offer would prove acceptable.

And yet mounting over the prospect of account defections in view of Mr Saatchi's close connections with several major clients. Mars, the privately controlled US confectionery combine, pressed Saatchi & Saatchi's directors not to force Mr Saatchi's resignation. The company has now launched a review of its \$1 billion worldwide advertising spend, while Sir Colin Marshall, chief executive of British Airways, may follow suit.

British Airways has stayed its hand pending Mr Saatchi's

decision. Sir Colin intervened during the marathon board meeting to inform non-executive director Sir Peter Walters, former chairman of BP, that support for Mr Herro's controversial proposals, including the dismissal of Mr Saatchi, was not as strong as had been claimed.

Mars's billings are estimated at \$400 million, to yield revenues of some £30 million. BA's billings of around \$125 million, contribute approximately £6 million to revenue. The combined £36 million revenue from these two accounts alone would outstrip Saatchi & Saatchi's entire pre-tax profits, estimated by City analysts at £32 million for 1994.

Should BA switch its advertising account, there is a strong possibility of similar action by its Australian associate, Qantas. Saatchi & Saatchi's hopes of capturing US Air's advertising appears to have suffered a setback. Mr Saatchi is also closely associated with Procter & Gamble, the US detergent and toiletry combine.

Controversy continues to surround the December 16 board meeting at which Mr Scott and his co-directors bowed to all the proposals put forward by Mr Herro of Harris Associates, holder of just under 10 per cent of Saatchi & Saatchi's equity. Mr Herro claimed support from more than 40 per cent of shareholders, although Sir Colin's eleven-hour telephone call to Sir Peter was made in order to inform the board that he had discovered that General Electric of America's pension fund, a sizeable shareholder, had decided to distance itself from the rebellion.

Sir Peter and Sir Paul Girolami, former chairman of Glaxo, are rumoured to have considered resigning in support of Mr Saatchi, but are believed to have been advised against this by Saatchi & Saatchi's lawyers.

In the event, Mr Scott went along with Mr Herro's strategy and the board — temporarily chaired by deputy chairman Jeremy Sinclair — intends to propose a change of name to shareholders.

Mr Saatchi enjoyed a three-year contract, which indicates possible compensation in the region of £600,000.



Maurice Saatchi prepared a two-sentence memo of refusal

## Record surge in new issues set to fall back

BY MARTIN WALLER, DEPUTY CITY EDITOR

LAST year was a record one for companies coming to the stock market, with more debentures than ever before and more money raised. However, turbulent market conditions suggest that the new issues lists will have a quieter 1995.

Figures from KPMG Corporate Finance show that 238 companies joined the market last year, raising £10.4 billion. Of these, 15 came to the Unlisted Securities Market, the junior market, now no longer taking entrants.

Neil Austin, KPMG's head of new issues, said that British companies had a more positive attitude than for several years.

The total of debentures for 1994 compares with 173 in 1993 and 70 in 1992. Most of 1994's new issues came in the first half, before the stock market's descent gathered pace.

Mr Austin conceded that the year had seen problems, with a few newly floated companies making profit warnings.

However, he argued that this should be put in context, saying: "Most small companies have a lower spread of

risk and are more prone to fluctuations in performance. It is part of their attraction — they offer higher rewards, but with greater risk. People forget that for every £25 million company that turns into a horror story, there is another one where people double their money or more."

Floating a company to raise fresh funds and to let existing shareholders take some cash out has become increasingly popular in the past decade. Of full listings, the 1993 total of 163, although 60 behind last year's, is well ahead of annual totals since 1985. The figure exceeded 100 only in 1986 and 1987.

Mr Austin accepted that market instability meant that institutions were becoming more cautious about new issues. "A more rigorous assessment by potential investors must be good for the future of the market," he added. "Good companies deserve a good price. Some have suffered in the backlash from the problems experienced by a few."

New realism, page 30

## Builders see strong pick-up in orders

BY PHILIP BASSETT, INDUSTRIAL EDITOR

THE building industry gave warning today against further interest rate rises, at the same time suggesting that construction orders, especially for industry, are picking up strongly as the economy recovers.

While the latest forecasts from the construction industry still strike a note of concern about housebuilding and purchase in the wake of higher interest and mortgage rates, the growth of factory building provides a significant indication of the strength of the recovery in the economy.

Sir Brian Hill, president of the Building Employers Confederation, says in a new year message that the slow and gradual recovery in construction output over the past 12 months looks set to continue this year.

Although last year saw the first rise in construction output for four years, he said the estimated increase of 2.5 per cent was from a very low trading base and expectations of improved trading condi-

tions evident last spring did not fully materialise, particularly in private housing.

Sir Brian feared that recent increases in interest rates and mortgage rates would continue to affect confidence among potential homebuyers. He said: "The last thing the construction industry wish to see is any further rises in interest rates in 1995."

Most business leaders expect rates to drift up gradually, especially if higher raw material prices or wage settlements persist.

Sir Brian said changes to mortgage interest tax relief and income support payments for mortgages announced in the Budget will also put further restraint on house sales and will slow growth in the housing repair and maintenance sectors.

The BEC says the increase in output in building for private industry could be as high as 10 per cent.

Strongest growth, page 29

## Fraudsters at work — and how to spot them

BY JON ASHWORTH

THERE has never been a shortage of guides aimed at helping managers to stamp out fraud in the workplace. Indeed, some accountancy firms have carved a profitable niche business in this area — KPMG Peat Marwick with its fraud barometer and Pannell Kerr Forster with its case studies and booklets.

The ultimate aim is to promote their specialist services — teams of investigators that can go into a company and sniff out malpractice. But there is plenty of entertainment for casual observers along the way.

Pannell Kerr Forster recently released a video dramatising what happens when the Inland Revenue investigations unit calls. One is left

under no illusion about the draconian powers the inspectors have at their disposal, down to the right to march into your living room and hunt for personal documents in front of your wife and the family pets. Not to be outdone, two experts at KPMG Forensic Accounting have published a book devoted to fraud, be it money laundering or computer hacking. *Fraud Watch*, by Ian Huntington and David Davies, offers a feast of anecdotes for anyone interested in the darker side of office life.

It provides tips on how to spot the office fraudster. Beware the finance director who keeps his door closed, or has his office soundproofed. Be suspicious of managers who ply their staff with champagne.

Fraud may come to light for all

manner of reasons. A solicitor defrauded 19 building societies of £4 million and spent lavishly on his two mistresses. He had two houses in Florida and a villa in Spain, and drove a Jaguar and a Cadillac. The fraud came to light when one mistress found out about the other and blew the whistle.

Then there were the workers at a leading car manufacturer who stole £2 million in spare parts by taping components to their bodies, safe in the knowledge that union rules forbade body searches. The parts were pooled and sold to the public in bogus manufacturer's packaging.

In one case, three British Rail managers took bribes from a garage owner worth hundreds of thousands of pounds, including foreign holi-

days and cash, in return for awarding vehicle maintenance contracts.

In another, 11 officials at a government agency were treated to cash, foreign holidays, callgirls, home improvements and clothing in return for lucrative contracts.

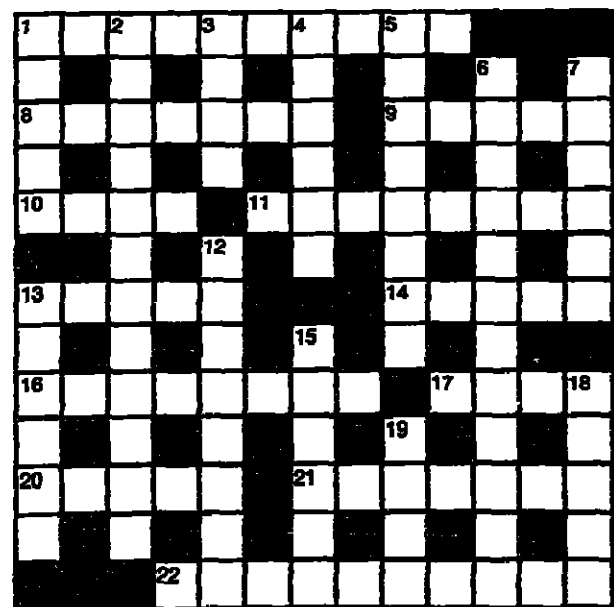
The book is jammed with tales of false billing and circular money flows. Even the common curriculum vitae rates a mention. An individual who had served a four-year prison sentence for obtaining property by deception bluffed his way into a job as a marketing director after submitting a bogus CV and references. Showing similar bravado, a minicab driver bought the honorary title of Lord of the Manor of Newham and used its pulling power to raise £2.5 million in mortgage loans, helped by,

among others, a solicitor, a former magistrate and a mortgage broker.

Basic controls can be put in place as a deterrent, but they need to be supported by a sound company culture. An autocratic management style will make it more likely for transactions to slip through the net, simply because the boss cannot be bothered with detail.

Low morale can pose problems — unhappy staff are less likely to operate controls effectively — and there is a danger in too much red tape. Staff may take short cuts, making it easier for the determined fraudster to have his way.

*Fraud Watch*, £45, Accountancy Books, 399 Silbury Boulevard, Central Milton Keynes, MK9 2HL.



### TIMES TWO CROSSWORD

No 359

## ACROSS

- Make over-hasty start (4,3,3)
- Roundabout routes (7)
- Feeling: perception (5)
- Plant stalk: stop (flow) (4)
- Arise suddenly: make an escape (5,3)
- The bread of one baking (5)
- Split apart (5)
- Curious: remarkable (8)
- Make from wool (4)
- Inebriated (5)
- Sprout: flourish (7)
- Disgraced: in trouble (2,3,5)

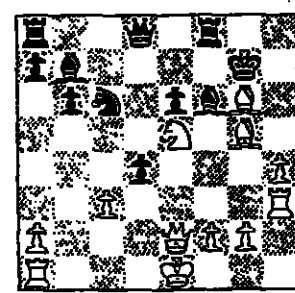
## DOWN

- Betrayer (5)
- Native language (6,6)
- Unofficial ticket seller (4)
- Make certain (6)
- On a higher floor (8)
- Disturbing to one's plans (12)
- Churchyard caretaker (6)
- Compressed in size (8)
- Next to (6)
- Panda food (6)
- Piano adjuster (5)
- Carion bird: exult (4)

## WINNING MOVE

By Raymond Keene

This position is from the game Alekhine — Koenig, Vienna 1922. White has a winning attack, but what is the most direct way to end matters.



Solution, page 20  
Raymond Keene, page 7

## WORD-WATCHING

By Philip Howard

## CONY

- A blind pony
- A dandy
- A fur hat

## FIDATE

- A common shrub
- A chess term
- A Royal Yacht sailor

## UCKERS

- A board game
- A chewing gum
- A rubber plant

## SPRUK

- To jump excitedly
- To interrupt
- To deliver a speech

Answers on page 20

CROSSWORD BOOKS: The Times Concise Crosswords (Books 1 & 2 £5.99 each), Books 3, 4, 5, 6 & NEW Book 7 £4.50 each. The Times Jumbo Crosswords (Books 1 & 2 £5.99 each, Concise Book £5.99), The Times Crosswords (Books 1 to 13 £4.99 each), Books 14 to 18 & NEW Book 19 £4.50 each. The Sunday Times Crosswords — (Book 1 £4.99), Books 10, 11, 12 & NEW Book 13 £4.50 each. The Sunday Times Concise Books 1 to 13 £4.50 each. Except the items in brackets, software available for all titles for IBM PCs and Acorn Archimedes (both computers) — Price £34.95 each, also The Times Computer Crosswords Vols 1 to 6. The Sunday Times Vols 1 to 6 and The Times Jubilee Edition. Prices inc p&p (UK). Send cheques with order payable to Aikman Ltd, 51 Manor Lane, London SE13 5QW. Return delivery. Tel 081-852 4575 (24 hrs). No credit cards.

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